

Erastus Senior.

Scholastically Demonstrating
this Conclusion, that (admitting their
Lambeth Records for true) those called
BISHOPS here in *England*,
are no Bishops, either in
Order, or *Jurisdiction*, or so

Ignatius much as *Legat. Thorp* &

Wherein is answered to all that hath been
said, in Vindication of them, by Mr. MASON,
in his *Vindicia Ecclesie Anglicanae*, Doctor
HEYLIN, in his *Ecclesia Restaurata*, or Do-
ctor BRAMHALL, (then called Bishop of
DERRY, now Primate of ARMAGH,)
in his last Book, Intituled, *The Consecrati-
on and Succession of Protestant Bishops Ju-
stified*.

With an Appendix, containing *Extratts* out of
ancient Rituals, Greek and Latine, for the
Form of Ordaining Bishops: And Copies of the
Acts of Parliament, quoted in the third Part.

John Lewgar,

Printed in the Year, 1663.

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To the Reader.

THe intent of this *Treatise*, is onely, of my Charity to my Friends and Countreymen of the Protestant Profession, to shew them this great Defect in their Church, *the want of Bishops*, thereby to invite them into ours, which (even by the confession of her adversaries) wants them not.

And the intent of this *Preface*, is onely to note to them the greatness of this defect in their Church, from the hide-

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ous Consequences of it. For if theirs be no Bishops, either in *Order* or *Jurisdiction* (as this discourse undertakes to demonstrate,) this will follow :

First, that theirs being no Bishops *Ordine*, they cannot validly Ordain, either *Bishop*, *Priest*, or *Deacon* : and so they have none of these *Orders* in their Church, nor have had since the death of those that were Ordained by our Bishops.

Secondly, that theirs being no Bishops *Jurisdictione*, (or *Pastors* of *Cathedral Churches*) they cannot validly Institute a Pastor to any *Parochial*

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cbial Church (for none but a *Pastor* can Institute a *Pastor* :) and so they have no *Pastors* in their Church, nor have had, since the outing of the *Catholique* Bishops, Parsons, and Vicars, in the beginning of Queen *Elizabeths* Reign.

Thirdly, that theirs is no true Church (or Member of the *Catholique*,) for want of *Pastors*, it being an *essential* part of the *Catholique Church*.

Fourthly, that Salvation cannot be had in their Church; because no Member of the *Catholique*, out of which no Salvation.

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Fifthly , that the *belief* they have of the Scriptures, Trinity, Incarnation, Death, and Merits of Christ , and other Mysteries of Christian Religion , is no *Divine*, (or *Supernatural* ,) but *Moral* (or *Humane*) Faith onely, (which cannot avail to eternal Salvation :) because they believe them *finally* (or in the last resolution of their Faith into the *witness* or *proponent* of Gods Word to them) upon the testimony of *preachers having no mission from God*.

Sixthly, that the *hope* they have, of remission of Sins, of obtaining Eternal Beatitude
by

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by the merits of Christ, and of other Evangelical promises, is no *Divine*, but *Moral* (or *Natural*) Hope onely, (which hath no efficacy to an eternal recompence :) because it cannot be *Diviner* then the *Faith* is upon which it is and must be grounded ; and theirs is but *Humane Faith*.

Seventhly, that their Ministers having no power (because no *Priests*) to remit *Sins* ; every time they receive the *Communion* (since they committed Mortal Sin,) they eat and drink it *unworthily* (and consequently, to their *owne Damnation* ;) because

1 Cor.
11. 29.

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Cate-
chism in
the Book
of Com-
mon-
Prayer.

they presume to eat and drink of that which they believe to be *the Body and Blood of Christ, (which is ve- rily and truly received of the faithful,* with a Soul foul, and abominable to God, with Mortal Sin; as it must needs be, because since Christ Instituted the *Word of Priestly Absolution*, for the ordinary means of giving that grace, (*viz.* when he said to his Apostles, *whose Sins you remit, they are remitted:*) no Mortal Sin, committed after Baptism, can be remitted but by that means (at least, *in voto*; which cannot be supposed in a *wilful* Pro-

S. John
20. 22.

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Protestant :) which means
(theirs being no Priests,)
they cannot have in their
Church. And for the same
reason, at their Death, they
go away with all the Sins up-
on their Soul, that ever they
committed.

Eightly, that their Mi-
nisters having no power, (be-
cause no Priests) to Conse-
crate Christs Body and
Blood; they live, and dye,
without ever once offering
to God that *Sacrifice*, which
is the principal and most ne-
cessary Act of Divine Wor-
ship under the New Testa-
ment (the oblation of the
Body and Blood of Christ
in

The Preface.

S. John
6. 54.

in remembrance of his death) and without ever once partaking of that Flesh and Blood of his, of which he said, [*Except ye eat and drink of it, ye shall have no life in you.*]

Lastly, that every time any of their Bishops presume to Ordain, Confirm, Excommunicate, Institute a Parson, or Vicar, or exercise other Act of the Episcopal Office; or any of their Ministers, to Preach, Baptize, Celebrate publick Divine Service, Consecrate the Eucharist, take Confessions, give Absolution, or exercise other Act of Priestly Function; so often do they commit

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mit the hainous Sin of *Sacri-
ledge*: in which the people
are involved with them, so
often as they do communi-
cate with them in, or coope-
rate to , those Sacrilegious
Presumptions.

The

The following is a list of the
names of the persons who
were present at the meeting
of the committee on the
10th of March 1871.

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The first Chapter.

*Proving the first part of the Conclusion,
the Protestant Bishops are no Bishops
ORDINE: and urging the first Reason,
the invalidity of the form whereby
they were Ordained.*

THere is a Bishop *Ordine*, and there
is a Bishop *Officio* (*Jurisdictione*,
or *simpliciter*.) A Bishop *Or-*
dine, I call him whose Ordina-
tion was essentially valid, and so imprint-
ed the Episcopall Character. As *ex. gr.*
if one should be Ordained, in due matter
and form, by one or more Bishops ha-
ving no Jurisdiction, or should be Ordai-
ned without a Title: or should be Conse-
crated Bishop of some See, and afterward
resign it, or be deprived of it, or degraded,
And Bishops in this sense, are necessary
to the Ordaining of Bishops, Priests, and
Deacons; and consequently to the *inter-*
rior essentiall form of the Church, as it
consists in a Hierarchy of *Order*. A Bishop
Officio, I call him who was validly Con-
firmed, and Consecrated Bishop, or Arch-
bishop, and Pastour, of that See (or flock

B

of

of Clergy and people) whereof he is stiled: as *ex. gr.* *Canterbury, London, &c.* and continues actuall Bishop of it, or of some other. And Bishops in this sense, are necessary to the Consecrating of Archbishops and Bishops of Cathedrall or Metropolitall Sees, and to the Instituting of Pastors to Parochiall Churches; and consequently to the *exterior* essential form of the Church, as it consists in a Hierarchy of Jurisdiction.

The first part then of my Conclusion is, that *Protestant Bishops are no Bishops Ordine.* My reasons are two.

The first is, because the Protestant form for Ordaining Bishops is essentially invalid. For the essential form of Ordination, is some *fit* words, that is, *words signifying the Order given.* So Protestants them-

Mr. Mas-
sen, l. 2. c.
16. n. 6.

selves. [*Non verba qualibet huic instituto* (for making a Priest, and there is the same reason of a Bishop) *inservire poterunt, sed quæ ad Ordinis conferendi potestatem exprimendam sunt accommodata. Dum per Apostolum (Tit. 1. 5.) mandavit Christus ut crearentur Ministri, mandavit implicitè, ut inter Ordinandum verba adhiberentur idonea, id est, quæ dati tum Ordinis potestatem complecterentur. Iste modus autem*
verba

verba, quatenus datam potestatem denotant, sunt illius ordinis forma essentialis.] And

the reason is evident, because Ordination being a Sacrament, (as Protestants themselves do, * and must confess, for else it is no argument of the parties having any authority from God more then another hath who is not Ordain'd) that is, a visible sign of an invisible grace or power given by it; there must be some visible sign in it to signifie the power given, for it cannot be a sign of what it signifies not; and else, the same Rite as ordains a man a Deacon, would ordain him Priest and Bishop. The essential matter then of Episcopal Ordination (which is imposition of hands) being a dumb sign, and common to divers Orders, (as Bishops, Priests, Deacons) and to divers other graces, as Confirming, curing the sick, &c. of necessity there must be some words joyn'd with it as its *form*, to interpret it, and determine it to the grace of Episcopal Order, which no words can possibly do, but such as signifie that Order, either in the natural sense of the words, as *ex gr. Be thou a Bishop, or I ordain thee a Bishop*, &c. or by the Institution of Christ, as these words [*I baptize*

14. 1. 2.
n. 2. of D.
Bramb. p.
96.

tize thee, &c.] signifie the grace of regeneration, because instituted by Christ to that end.

Now in the Protestant form, there is no word signifying Episcopal Order in the natural sense of the words. For this is their whole form, [*Take the Holy Ghost, and remember that thou stir up the grace of God which is in thee by Imposition of hands; for God hath not given us the Spirit of fear, but of power, and love, and sobriety.*] In which is nothing but what may be said to any Priest or Deacon at his Ordaining, may or to any childe at Confirming. Nor is there any colour of ground to say that these words signifie it *ex instituto Christi*; being there is no testimony in Scripture of such his institution, nor did he ever use these words but once to his Apostles, when he gave them power of remitting sins, which is a power of Priestly Order onely; nor do we finde that any of the Apostles ever used them; and it appears by all the Rituals now extant, (set forth by *Amerinus*) that no Church, Greek, or Latine, ever used these words for so much as any part of the Ceremony for ordaining a Bishop, for 1200. years, nor any of the Greek Churches

*De ordi-
nat. Sacr.
par. 2.*

Churches yet to this day, nor therefore doth the Roman Church (which introduced them within these 400. years) use them as essential form, as shall be seen more anon.

The second Chapter.

Replying to Dr Bramhall's Answer.

TO the foregoing Objection he Pag. 222
makes this Answer.

Ans. If these words be considered singly in a divided sense from the rest of the Office, there is nothing in our form, which doth distinctly and reciprocally express Episcopal power. But if these words be considered conjoynly in a compounded sense, there is enough to express it distinctly. 1. The party is presented to be made a Bishop. 2. The Kings Letters Pattents are read, requiring them to Consecrate him Bishop. 3. He takes his Oath of Canonickall Obedience, as Bishop elect. 4. The Assembly is exhorted to pray for him, before he be admitted to that Office, (that is, of a Bishop) 5. In the Letany; he is prayed for as Bishop elect; that he may

have grace to discharge that Office (of a Bishop.) 6. After the Letany, he is prayed for, as called to the Office of a Bishop. 7. The Archbishop tells him he must examine him before he admit him to that administration whereunto he is called, and after examination prays for grace for him to use the authority committed to him, as a prudent and faithfull Steward; this Authority can be no other then Episcopal Authority, nor this Stewardship any other thing then Episcopacy. 8. Lastly, after imposition of hands, with those words, *Receive the Holy Ghost, &c.* follows the tradition of the Bible into his hands, with an exhortation to behave himself toward the flock as a Pastor. All which implies Episcopall Authority.

Repl. This answer, is either false, or impertinent, or a granting of the Argument. For if his meaning be, that there are no words in their essential form, that express it, this is a granting of the argument; which proceeded onely upon their essential form; the other expressions of it in the rest of the office, signifying nothing to the purpose, because not sacramentall. For the conjunction of these words

words with those other, being not *formal* (which is impossible betwixt words sacramentall, as these are, and not sacramentall, as all the other are,) but onely *materiall*, or *locall*, (because contained within the same Office,) their signifying of it can contribute or cooperate nothing to make these signifie it one whit the more then they would do taken singly by themselves. And so if these, taken singly by themselves, do not signifie it, (as he confesses they do not) then taken singly by themselves they give it not (because they give no more then they signifie :) and if taken singly by themselves they give it not, then none is given, because none of the other can give any. To make this more plain. Suppose all the other expressions had been as they are, and the words of their essential form had been onely these [*Be thou an Officer in the Church; or take authority to some administration; or God make thee an honest man,*] or some such like, mentioning no power of Order in certain: will he say, they would be valid to make a Bishop, by reason of their conjunction with the other expressions? I suppose he will not, because these signifie

no power given of a Bishop. And if those would not, no more will these, for the same reason.

If his meaning be, that there are other words in the Office, which express it as intended, desired, prayed for, or supposed to be given, by imposition of hands, and those words, *Receive the Holy Ghost, &c.* this is impertinent, because the argument proceeded onely upon the not expressing it as *given*.

If his meaning be, that though these words do not, yet they are joyn'd with other words, which express it as *given*; this is false: because none of those other expressions by him named, do express it as *given*, or intended to be given by any of themselves, but onely by the imposition of hands, and the words joyn'd with it. For in the seventh, which immediately precedes Imposition of hands, the Archbishop tells the party, he *must examine him before he admit him to that administration*: and after that, onely prayer is made for *grace that he may discharge the Office* (meaning, after it should be committed to him) *as he ought*. And in the eighth which immediately follows the words of Ordination,

tion, he is only exhorted to behave himself as a good Pastor.

If his meaning be, that these words do in some part express it as given, and the other in some other part, so as betwixt them they make up an expression of it as given; this is also false: because these express it not at all, and none of the other express it as given.

So take his answer in what sense you will, it is no answer to the Objection.

• The third Chapter.

Answering Dr. Bramhalls Allegations for their Form; and in this Chapter, his first Allegation, from Christs example.

TO prop up his Answer (which he saw needed it) he addes to it three Arguments for the validity of their Form; but very weak ones all, as will appear by the Answers.

1. Arg. You may except against Christs own form of Ordaining his Apostles, if you will: but if that be a sufficient form, ours is.

Ans. This supposes that he ordained them Bishops, by these words, Receive the

the Holy Ghost : which is a false supposition. For he ordained them not Bishops, by these or any other Sacramental words : nay, 'tis most probable he made not one of them a Bishop, but Saint Peter, and him he made by those words [*Pasce oves meas.*]

The fourth Chapter.

Answering his second Argument, from the Romane Forme.

2. Arg. **T**He Form used at the same time when hands are imposed, is the same both in our Form and yours. [*Receive the Holy Ghost.*] And so as much in our Form to express Episcopall power as in yours ; and if yours be valid ours is.

Ans. If by, *the same time*, he mean the same time *Physical*, (or *Physicè loquendo*) I deny his Consequence [*therefore as much in our Form as yours :*] because their entire essential Form is used at the same time when hands are imposed, which ours is not, as we shall see anon. If by, *the same time*, he mean the same time *Moral* (or *Moraliter loquendo*,

quenda, that is, continued without any moral interruption:) his Antecedent is a mistake. For our Form is not those words alone [*Accipe Spiritum Sanctum*] nay, perhaps they are no part of our essential Form (for the reason given *supra*.) but those that are immediately *Cap. 1.* joyned with them, to wit, the Prayer, *Propitiare Domine*, &c. anciently called, the *Benediction*; which hath been our *Cent. Car.* Form ever since Saint *Peters* time, and *4. 6th Or-* (for the substance of it) is the same with *do Roman.* that which is used over all the Easterne Churches, and which anciently (until within these four hundred years) our Church used at the same (*Physical*) time when hands were imposed, onely in latter ages, for the greater solemnity of the Ceremony, and fuller signification of the grace of this Sacrament, (the giving of the Holy Ghost) she hath interposed those words [*Accipe Spiritum Sanctum*] and perhaps by way of Prayer onely, and appointed them, and them alone, to be pronounced at the same time when hands are imposed, and to be pronounced by all the Bishops assisting; and then, one of the Bishops onely (as the ancient Law and Custom was) to pro-

pronounce the words of Ordination,
Una super viz. [*Propitiare Domine supplicationibus*
can fun- *mistris, & inclinato super hunc famulum*
denic Be- *tuum cum gratia Sacerdotalis, benedi-*
nedictio- *ctionis tue in eum infunde virtutem.*
nem Can. *Per, &c.*] Anon after which follows the
 other Prayer, anciently called, *Conse-*
cratio Episcopi; to wit, [*Deus hominum*
amunum, &c. tribuas ei Cathedram Epi-
scopalem ad regendam Ecclesiam, &c.] and
 after that, the anointing his head with
 holy Chrisme, with these words [*Un-*
gatur & Consecratur Caput tuum Beni-
dictione celesti, in Ordine Pontificali, In
nomine Patris, &c.] After which he is
 called *Episcopus*, and *Consecratus*; till
 then, not, but *Electus*, or *Consecrandus*
 onely. So all these pertain to the inte-
 grity of our Form, and are *morally*
 (which is sufficient to the unity of a *mo-*
ral compositum, as a *Sacrament* is)
 joyn'd with the Imposition of hands:
 and in these you see is expressed, *Sacer-*
dotal, Episcopal, and Pontifical grace
 (or Order.) And so there is more in
 our Form to express Episcopal power,
 then in theirs.

The fifth Chapter.

Answering his third Argument from Cardinal Pool's Dispensation.

3. Arg. **K**ing Edward the sixth his Form of Ordination, was judged valid in Queen Maries dayes, by all the Catholique Bishops in Parliament, 1. and 2. Phil. and Mar. 8. by Cardinal Pool (then Apostolique Legation England) and by the Pope himself, Paul the fourth. This he proves by three Mediums.

" The first Medium. The Parliament
" proposed to the Cardinal, this Article,
" that all Institutions to Benefices
" might be confirmed. And the Cardinal
" did confirm them, and the Pope ratified
" it. Now Institutions could not be
" confirmed except Ordinations were,
" nor they, unless they were essentially
" valid. Ergo they supposed them valid.

Ans. Either he argues upon the Institutions of such as had been Ordained by the new Form, and were returned to Catholique unity, and so had been re-ordained; or of such as had not been re-ordained. If the former, I deny, his

Con-

Consequence ; for their Institutions might be confirmed, without confirming their Ordinations. If of the latter, I deny his *Antecedent* ; for the Parliament proposed not, nor did the Cardinal promise to confirm *their* Institutions, there being no Beneficed men then in the land, that had been Ordained by the new form, but what were re-ordained in *Queen Maries* time. And though it be sufficient for me, being the Respondent, to say it onely, till he prove what he boldly saith, that none of those Ordained by *King Edwards* form, were in *Queen Maries* time compelled to be re-ordained: yet for more satisfaction to the Reader, I shall give some Reasons of my saying, viz. because

1. In the first Parliament of *Queen Mary*, (which began on the 5. of Octob. 1553. and ended on the 6. of Decemb. following, which was a twelvemoneth afore this Act) all Consecrations which had been made according to the Ordinal of *Edward the sixth* were declared (saith *Doctor Heylin*) to be null and void. And if Consecrations, surely much more, Ordinations; their Form for Ordaining Priests, being much more questionable

*Eccles.
Reflant.
par. 2.
fol. 38.*

onable then that for *Bishops*.

2. In the beginning of *March* following, the *Bishops* procured from the *Queen* an *Injunction* to all the *Ordinaries* in the *Realm*, to execute certain *Articles* recommended; whereof the *fifteenth* was this [*Touching such persons as* Mr. Fox, *were heretofore promoted to any Orders af-* All. and *ter the new sort and fashion of Orders, con-* Man. par. *sidering they were not Ordained in very* 2. fol. *deed, the Bishop of the Diocese finding* 1464. *otherwise sufficiency and ability in those*
men, may supply that thing which they
wanted, and then according to his discre-
tion, admit them to Minister.] Upon
which Master Fox makes this note, [In Indict. *Ministers revolting to Popery, must with*
their new Religion have new Orders.]
And these Articles we may be sure were
quickly and strictly put in execution by
the Bishops; and so Master Fox saith, Par. 1.
[all such Beneficed men, which either were fol. 1189. *married, or would constantly adhere to their*
profession, were removed, and others placed Hist. of *in their rooms:]* and *Doctor Goodwin,* 2. Mar. *[Omnes cuiuscunque conditionis Ecclesia-*
stici, qui vel uxores repudiare uellent, vel
Pontificiam doctrinam postea tueri & de-
fendere non promitterent, sacerdotii huius-
modi

modi unde ob Pontificiam doctrinam pertinaciter defensam exturbatus quisquam fuisset, indiscriminatim universi exallii sunt.] And Doctor Heylin, [*For want of Canonical Ordination on the one side, and under colour of uncanonical marriage on the other, we shall finde such a general remove amongst the Bishops and Clergy, as is not any where to be parallel'd in so short a time.*]

The second Medium. *The Parliament*, in that Article, propounded to the Cardinal, that all Ecclesiastical promotions might be confirmed. Now under promotions Ecclesiastical, were comprehended holy Orders.

Ans. Under Ecclesiastical promotions, were not comprehended holy Orders, but onely promotions of like nature as Institutions to Benefices; for so runs the Article [*Institutions to Benefices; and other promotions Ecclesiastical;*] that is, promotions giving Jurisdiction, Office, or Dignity in the Church, as Deans, Prebends, Chancellours, Archdeacons, &c.

The third Medium. *The Cardinal* promised to receive in their Orders all who had obtained Orders, without any other exception or condition but this, that they were returned

return'd to Catholique Unity. Neither was there ever any one of them who were then returned, compelled to be re-ordained. This doth clearly destroy all the pretensions of the Romanists against the validity of our Orders.

Ans. This is triumphing afore the victory. For first, that any of them that were returned to Catholique unity, would presume to exercise any function of a Priest or Deacon, by virtue of Order received by the new Form, is not imaginable, considering how all the Catholique Bishops at that time counted those Ordinations null; so as there was no need to compel any of them to re-ordination. Secondly, the Cardinal did not promise to receive in their Orders, all who had obtained Orders (*simpli-citer*, as he alledges it.) but onely all who had obtained Orders, *essentially* valid (for else they were no Orders,) but *Canonically* invalid, because received from them who had no authority to Ordain, but what they pretended from the King as Supream head of the Church of *England*: for so are the Cardinals words, [*Omnes personas, quæ aliquas impetratio-nes, dispensationes, gratias & indulta,*

nam Ordines, quam Beneficia Ecclesiastica, seu alias spirituales materias, praetensa auctoritate Suprematatus Ecclesiae Anglicanae, licet nulliter, & de fallo, obtinuerint.] And that this was his meaning, and the utmost of it, is manifest from divers other clauses in the Dispensation. As

1. That in the preamble, he describes the things, he was desired, and did intend to dispense with, to be things done, *perniciosissimo schismate vigente, per auctoritatem Parliamenti; & quae licet ex sacrorum Canonum instituta irrita declarari possent*; yet he might *de Apostolica benignitate, eorum firmitati providere.*

2. That for his motive to dispence with those things, he names the necessity of it to the publick peace and quiet of the whole Realm, [*Quae si ad alium statum quam in quo nunc sunt revocarentur, publica pax & quies universi Regni turbaretur, & maxima confusio creiretur.*] which was true of Ordinations Canonically null, because all, or well nigh all in the land were so; but not of Ordinations made by the new Form, for that had been legally established by Parliament (and the Parliament took care for

no other, *Institutions of Bishops, and other promotions Ecclesiastical, and dispensations, made according to the Form of the Act of Parliament,*) but in the last year of *Edward the sixth*, in which there had not been many Ordinations; and those few as had been Ordained by it, and were become Catholics (as the Parliament and Cardinal provided for no other,) had been, afore this, re-ordained; so as no disturbance of the Realm could be feared from the not confirming these Ordinations.

3. That he promised to receive them in their Orders, though obtained, *quodlibet, & de facto*: which could not be possibly meant of Orders *essentially* null, because he well knew no power upon earth could confirm them, but only of *Canonical* nullity.

4. That he put this condition or qualification upon them as should have benefit by the Dispensation, [*modo ad eam reversa, Ecclesia Catholica unitati restituta fuerint*:] which may have place in Ordinations *Canonically* null, but not in other, because they are eternally valid or invalid in all alike, as well Hereticks or Schismatics, as Catholics.

5. That he promises to receive them, *prout multi jam recepti fuerunt*; meaning those who had sued out their Dispensations, as many had. But not one can be named who had been Ordained Bishop, Priest, or Deacon, by the new Form, and upon his return to Catholique Religion, was received in that Order. And I am the more confident of it, because (besides the reasons given *supra*) after this Parliament, heretical Bishops, Priests, and Deacons, if they had been Ordained *ritu Romano*, were degraded as such: but if by the new Form, not, but onely in that Order which they had received *ritu Romano*. As namely, *John*

Mr. Fox. Bradford, Ordained a Minister by the new Form, was not degraded at all, but proceeded with as a meer lay-man. And

14. ib. Doctor Huper, made Priest, by the Roman Form, Bishop, by the new, was degraded as a Priest onely. And by this time I hope the Reader sees how little cause Doctor *Bramhal* had to vaunt as he did of this Argument as unanswerable. And this shall serve for my first Reason.

The

The sixth Chapter.

Urging the second Reason, invalidity of the Minister.

BUt grant their Form were valid, yet they would be no Bishops *Ordine*, for another reason; *invalidity of the Minister*. For the essential Minister of this Sacrament (the Consecrating of a Bishop) is at least (according to their own doctrine) one Bishop *Ordine*. Now none of them are Bishops *Ordine*, because no Priests, (as Priest, is the proper name of a holy Order, betwixt Bishop, and Deacon.)

That none can be a Bishop but he that is a Priest, is a received axiome amongst all Divines, and granted by themselves. [*Cum Episcopus esse nequeat qui non fuerit Presbyter, si non Presbyterus non esse probatum dederis, alium eris de Ministerio Anglicana.*]

Mr. Masson, Episc. ded. ad Episc. Paris.

And that their Ministers are no Priests, is manifest: because this word Priest (as it is the name of a holy Order) signifies one set apart, or impower'd, to offer to God the Sacrifice of the Body and Blood

*Fla. ap.
Marin. de
Ordin.
facr. par. 2.*

of Christ. This is evident from all the Forms (now extant) of Ordaining Priests, either ancient or modern, either of the Greek or Latin Church, and from the use of this word in all approved Christian Authours from the Apostles times to this day. Now themselves disclaim to Priesthood in this sense, and claim to it only as it signifies (in a new sense of their own devising) a Minister of the Gospel, having power to dispense the Word and Sacraments. [*Sacrificium propriè dictum ad Ministros Evangelicos spectare non agnoscimus. (a) Si Sacerdotis vocabulo nihil aliud significasset quam Ministrum Evangelicū cui verbi & Sacramentorum commissa est dispensatio, non Sacerdotes esse (b) profiteremur.*]

*(a) Mr.
Mason.
p. 2. 345.*

*(b) id. l.
s. c. 1. n. 3.*

*(c) l. s. c.
1. n. 3.
et c. 5.
n. 11.*

If they will say (as otherwhiles they do, and even the same Authour) (c) that the Eucharist is a mystical Sacrifice, offered to God, in commemoration or representation of Christs death (which is as much as we believe of it,) and that they have power to offer it as such: this is manifestly false, because in all their essential Form, there is not this word *Priest*, nor any word equivalent, nor any word signifying, or necessarily including, pow.

power to offer any Sacrifice.

Nay, should we admit this word *Priest*, in their own sense, for one set apart to Consecrate the Body and Blood of Christ in way of *Sacrament* onely, yet they would be no Priests, because the words of their Form signifie no such power. For these are the words of it [*Take the Holy Ghost: whose sins thou forgiveest they are forgiven, whose sins thou retainest they are retained: and be thou a faithful dispenser of the word of God, and of his holy Sacraments.*] In which you see is no power given, as to this or any other Sacrament, but onely to *dispense* them. Now to *dispense* this Sacrament, is not to *Consecrate* it; for it must first be *Consecrated*, afore it can be *dispensed*; and (in some cases, as if one at point of death, should desire his *viaticum*, and no Priest or Deacon could be had to give it him,) it may be *dispensed* by a *Deacon*, yea by a *Lay-man*, but cannot be *Consecrated* but by a Priest: and in a Priest, the *Consecrating* it belongs to his power of *Order*, the *Dispensing* it, to power of *Jurisdiction* onely.

The seventh Chapter.

Replying to Doctor Bramhall's Answers.

142. 216.

1. Anſ. **I** Deny that in all Forms of Priestly Ordination, the word Priest is ſet down either expreſſy or equivalently. It is ſet down expreſſy in the Eastern Church, in the Western not.

Reply. In the Western Church, 1. it is ſet down equivalently. For theſe words, at the delivery of the paten with an hoſt, and of the chalice with wine in it [*Accipe poteſtatem offerre Sacrificium Deo, &c.*] are equivalent to theſe [*Take the power of Prieſthood, or be thou a Prieſt.*] But 2. it is alſo ſet down expreſſy, viz. in the prayer (joyned with the Impoſition of hands) anciently called *Benedictio Presbyteri*, and which alone (as I noted afore) was the ancient Form for Ordaining a Prieſt [*Exaudi nos Domine Deus miſer, & ſuper hos ſanctulus tuus Bene-⁺dictionem Sancti Spiritus, & gratia SACERDOTALIS infunde virtutem.*] And in the Prayer anciently called *Conſecratio Presbyteri*, which ſolloweth ſoon after the other
[Da

[*Dain his famulus tuus PRESBTTERII dignitatem, &c. ut panem & vinum in corpus & sanguinem filii tui immaculata benedictione transformet, &c.*] both which Prayers still are used in our Form.

2. Ans. If the words of our Form be as determinate and express, as the example and prescription of Christ, it is sufficient. The form of Baptism is, *I BAPTIZE THEE IN THE NAME OF THE FATHER, &c.* Not, *I BAPTIZE THEE TO REGENERATION OR REMISSION OF SINS.* There are many other kinds of Baptisms or washings besides this Sacramental Baptisme, yet this form is as large as the Institution of Christ; and these general words are efficacious both to regeneration and remission of sins, as well as if they had been expressly mentioned. In this form of Baptism there is enough antecedent to direct and regulate both the actions and intention of the Minister. So there is likewise in our Form of Ordination.

Rep. Had Christ instituted those words of their Form [*Take the Holy Ghost, &c.*] for giving the grace of Priestly Order, as he did those [*I Baptize thee,*

ther, &c.] for giving the grace of regeneration, we neither could nor should have excepted against it; because then it would have signified it, as the Form of Baptism doth regeneration, *ex instantis Christi*. But till they can shew their form so Instituted, which they can never do, the case is nothing like; and so this is no answer.

3. Ans. *In our Form, Priestly power is sufficiently expressed. First, RECEIVE THE HOLY GHOST,* that is, the grace of the Holy Ghost, to exercise and discharge the Office of Priesthood, to which thou hast been now presented and accepted, &c.

Rep. Had all these been the words of their Form, we should never have questioned the validity of it. But none of them belongs to it but those first, *Receive the Holy Ghost*: the rest are but his *Gloss*; which I doubt not but the Ordainer meant; but the intention of the Minister, is not sufficient to give this grace, without words signifying it; which these do not.

Ans. *Secondly, in these words [WHOSE SINS THOU REMITTEST, &c.] that is, not only*

by Priestly absolution, but by preaching, baptizing, administering the holy Eucharist, which is a means to apply the all-sufficient sacrifice of Christ for the remission of sins. He who authorizes a man to accomplish a work, doth authorize him to use all means which tend to the accomplishment thereof.

[*Rep.* This answer hath the same fault with the former (that it quotes his own *Gloss*, for the Text,) and a much worse: for, in that, it is like the *Gloss* was meant by the Ordainer, but in this, not; it being a sense exploded by Protestants themselves as *Puritanical*. Nor is it congruous to the words: for the remitting sins here spoken of, must be the act of the Priest himself [*whose sins T H O U remittest*,] whereas the remitting sins by preaching, or any other of those wayes by him named (except Absolution) is not the act of the Priest, but of God alone, and the Priest doth onely apply the means whereby God doth it. And for that Rule [*he who authorizes*, &c.] it holds onely in means necessary to the end: which the administering of the Eucharist is not to the remitting of sins: for (regularly) they are and ought to be remitted

ted afore, by the Sacrament of Penance; and if Christ had pleased, he might have given that power of remitting sins, to a Deacon, or Lay-man.

Ans. *Thirdly this Priestly power to Consecrate, is contained in those words [BETHOU A FAITHFUL DISPENSER OF THE WORD AND SACRAMENTS.]* And afterwards when the Bishop delivers the Bible into his hands, [*Have thou authority to preach the Word and administer the Sacraments.*]

Rep. It is contained in neither of them. For

1. The former [*Bethou a faithful dispenser, &c.*] give no power, but onely admonish, and exhort, to a faithful discharge of the Office. And the latter [*Have thou authority, &c.*] give no power of Order, but Jurisdiction onely: as

Mr. Mason their own men interpret them [*In superioribus data est potestas Ordinis, in his, Jurisdictio, vel facultas, per quam potestas Ordinis ad usum reducitur, seu licitudinaxat, in quo potestas illa exercenda est, designatio:*] and as would have been evident by the words themselves, had he set them down intirely, and not

by

by halves [*Have thou authority to preach, &c. in this Congregation where thou shalt be so appointed.*]

2. Had they been absolute, and imperative, [*Have thou authority to preach, and dispense Sacraments*] they would not have signified power of *Order*, but *Jurisdiction* onely; nor any greater *Jurisdiction* then a *Deacon* is capable of. And his answer to this, [*that the Priest doth dispense this Sacrament by way of Office, a Deacon onely as his Minister,*] is 1. false, for if a *Deacon* be Beneficed, and have a faculty from the Bishop, in the interim till he be a Priest, to preach and dispense Sacraments, he hath authority to dispense this Sacrament *ex Officio*, and not as Minister to any Priest. 2. Impertinent, for the dispensing it *ex Officio*, doth not formally signifie, or necessarily include power to *Consecrate* it, at least, not as given by those words which give the power to *dispense* it; for (regularly) he must first be made a Priest, and afterward a *dispenser* of it (or *Pastour*.)

If he say, that under this word, *dispense*, the Ordainer meant power, not onely to *administer* the Eucharist, but to *Consecrate* it; I believe he did; but (as

I have often said) the intention of the Minister is not sufficient to give power of Order, and the highest power of Order (as this is, to Consecrate the Eucharist,) without words signifying it.

And this shall serve for the first part of my Conclusion, *that they are no Bishops Ordine (or valid Bishops.)*

The eighth Chapter.

Proving the second part of the Conclusion, that they are no Bishops OFFICIO, viz. For want of Jurisdiction in the Consecrators; and urging the first reason, want of the Patriarch's consent.

THe second part of my Conclusion is, *that they are no Bishops Officio (Jurisdictione, or simpliciter.)* My reason is, because they that Confirmed, or Consecrated them, had no Jurisdiction to either of those acts.

The Consequence (*they had no Jurisdiction, therefore could not validly Confirm, &c.*) is good: because the Confirming of one elected to a Bishoprick (that is, the ratifying of his election to it; which if the party were Consecrated
afore,

afore, is that which makes him instantly *Bishop* of it; and if he were not, is that which makes him instantly *Bishop* (or *Lord*) *elect* of it, and puts him in *proxima potentia* to be Consecrated Bishop of it.) is plainly an act of Jurisdiction: and therefore cannot be exercised validly, but by one having Jurisdiction to it. 2. The *Consecrating* of a Bishop, as it hath two effects in the party Consecrated, one the creating him a Bishop *Ordine*, another the creating him Bishop of *such a See* (as ex. gr. *Canterbury*, *London*, &c.) so it requires in the Consecrators two powers; one, to create him a Bishop *Ordine*, and so it is an act purely of the Key of *Order*; another, to create him Bishop of *that See*, (that is, governing Pastour to that Flock of Clergy and People, with authority to Institute Pastours, hold Courts, make Decrees, determine Causes, inflict or release Censures Ecclesiastical, over, or among them,) and so it is plainly an act of the Key of *Jurisdiction*, because giving *Jurisdiction* only: and so cannot be validly exercised but by one having authority to exercise it.

The Antecedent, (*they had no Juris-*

risdiction.) is proved by two *Medians*.

The first is, because they had no authority from the Pope, who alone could give it them. For none can give Pastoral Jurisdiction, but a Pastour; nor Jurisdiction over such a flock; but the Pastour to that flock; because none can give a Jurisdiction which he hath not. And hence, even among themselves, no Bishop in the land can validly Institute a Pastour to any Parochial Church, but the Bishop of the Diocess, or by Commission from him, or his Superiour. Nor can any number of Bishops validly Confirm or Consecrate the Bishop of any Diocess, but the Metropolitan of the Province (or some person authorized by him or his Superiour) must be one: nor the Metropolitan of a Province, but the Primate of the Nation, (or some person authorized by him or his Superiour) must be one. And consequently, by (parity of reason) nor the Primate of any Nation, but the Patriarch of that part of the world (or some person having faculty from him) must be one. This was long ago defined (or declared) by the first Council of

Nice

Nice, [Τὰ ἀρχαία ὅσα κελύουσιν, τὰ ἐν Μοι ἀντι-
 Ἀργυρίῳ, καὶ Λιβύῃ, καὶ Περσίᾳ, ὅσα τὰν quæ obli-
 Ἀλεξανδρίας ἐπίσκοπον πάλαι τούτων ἔχουσιν
 τὴν ἐξουσίαν, (that is, particularly, and Lybia, &
 principally, the Consecrating of their Pater-
 Primates,) &c. Καθόλου δὲ πρίστανον ἵκανον, li, ut E-
 ὅτι ἡ τις χάρις γνώμης τῷ Μετροπολίτῃ, (the pisco-
 Ecclesiastical Superior to that See) γίνονται Alexan-
 Ἐπίσκοποι, τὸν πύκτον ἢ μεγάλη Σουλῶν, rum omni-
 ὡς καὶ μὴ δύνῃσι ἔπι σκοπον.] And also um habeas
 that, by the Canons called *the Apostles*, potest
 (a) and since that, hath been confirmed, tem, &c.
 by the great Council of Chalcedon, (b) Univer-
 and divers other Councils, and recei- sum autem
 ved by the practise and consent of the illud ma-
 Universal Church from that time to this nifestum
 day. Consequently, the Patriark of the est, quod si
 West, (the Bishop of Rome) being the quis abs-
 unquestionable rightful Metropolitane que can-
 to the Primate of this Nation, (the sensa Me-
 Archbishop of Canterbury,) and the tropoli-
 Founder of that See; no number of tani fiat
 Bishops in this land, can validly Confirm, Episcopus,
 or Consecrate him, but the Bishop of hunc mag-
 Rome, or by Faculty or Commission na Syno-
 from him; or at least, not without his dum defi-
 consent *implicite*, or reasonably presu- nit non
 med. And so there having been no right, debere esse
 ful Primate of this Nation since the be. Episco-
 39. pum.

D

gin- 27.

ginning of *Queen Elizabeths* Reign, for want of the Popes consent to his Consecration; there hath been no Bishop validly Confirmed or Consecrated in it, since that time, nor can be, till the Popes consent can be had.

The ninth Chapter.

Upping the second reason, their having no Jurisdiction but from the King: and bringing the first proof of it, from their own acts and confessions.

MY second *Medium* shall be, because they have no Jurisdiction to these acts, but what they have originally from the King, who can give them none. And

First, that he can give them none to these acts, I suppose will be granted; because to Institute or create a Pastour to a flock of Clergy and people, is plainly a power of the *Keyes*, which themselves acknowledge no temporal Prince (as such) hath. And they give a good reason for it, because *the power of the Keyes*

Dr. Bram. was evidently given by Christ in Scripture. 63. pture to his Apostles and their Successors,

saurs, but to Sovereign Princes. Hence, Queen Elizabeth in her Commission to them as were to Confirm and Consecrate Matthew Parker to the See of Canterbury, would not use the words, *assign, constitute, or authorize*, (as is used in all other Commissions) but only *required them to Confirm and Consecrate him, and do all other things which in this behalf belonged to their Pastoral Office*; thereby acknowledging, that these were acts of the Pastoral Office, which she could not *authorize*, but only *command*, them to perform.

Secondly, that they have no Jurisdiction to these acts, but what they have (originally) from the King, may be shewed many ways. I shall make use of three.

The first shall be from their own acts and confessions, As

1. That Doctor Heylin notes of Q. *Ecc. Rest. Elizabeth* (as commendable in Her,) *in pref.* that she looked upon Her self as the sole fountain of both Jurisdictions (temporal, and spiritual.) For if she the sole fountain of both; then they that Confirmed and Consecrated Matthew Parker, and Her other first Bishops, had no Juris-

diction for it, but what they derived from Her.

2. That afore their Consecration, they take, 1. the Oath of Supremacy, whereby they acknowledge the King to be the *only Supream Governour, as well in all Spiritual or Ecclesiastical things or causes, as Temporal*. For if so, they cannot exercise any Spiritual Jurisdiction in *foro exteriori* (as this is, to Confirm and Consecrate a Pastour) but what must be derived from him. Nor can they say, that by the *Supream Governour*, in that Oath, is meant onely the *Supream political Governour*: for the Act that established that Oath, declares it to belong to the Kings Supremacy, *to use and exercise all such Jurisdictions Spiritual and Ecclesiastical, as by any Spiritual and Ecclesiastical power or authority, hath heretofore been, or may lawfully be used, over the Ecclesiastical State of this Realm*, and consequently, to authorize any Bishops in the land (as the Pope afore did) to Confirm and Consecrate Archbishops and Bishops, and so that none might Confirm or Consecrate any, but by authority from the King, as afore they might not but by authority from the
1. Eliz. 1.

the Pope: nay, it gives to the King more authority, and in this very kinde, then the Pope can exercise, or ever pretended to, *viz.* to assign and authorize any persons as he shall think meet (Bishops, or not Bishops, Clerks, or Laymen, so they be his natural born Subjells) to exercise under him all manner of Jurisdictions and Authorities, in any wise touching or concerning any Spiritual Jurisdiction within this Realm: and consequently, to Confirm, or Consecrate Archbishops or Bishops, of any Sees; for this is a spiritual Jurisdiction. 2. Besides this, they take a particular Oath, of Homage, whereby they acknowledge to hold their Archbishoprick (or Bishoprick) with all authority, jurisdiction, priviledges, revenues, and all else thereunto belonging, solely and entirely from his Majesty. If all their Jurisdiction from him solely, they can have no authority to constitute a Pastour of a Cathedral or Metropolitall Church, but what they must have from him.

The tenth Chapter.

Bringing the second Proof, from other publick Acts.

THe second way of proof shall be, from other publick Acts and proceedings, approved by them; by which it appears that the King can and sometimes does at his pleasure, limit, controul, suspend, or utterly deprive the Bishops of their Jurisdiction; which he could not do, if they had it from any other then himself. Of this, I shall name two Instances.

One, shall be the sequestering of Doctor *Abbot* by the late King, from his Office of Archbishop of *Canterbury*, upon a displeasure taken against him, for refusing to license a Sermon as the King desired, and committing that Office (he living) unto other Bishops of his own appointing; authorizing them, to do all, or any acts pertaining to the power or authority of the Archbishop of *Canterbury* in causes or matters Ecclesiastical, as amply, fully, and effectually to all intents and purposes, as the said Archbishop might have done

See the
Commissi-
on at
large, in
Mr. Rush-
worth's
Hist. Col-
lect. p. 435.

done. And so by vertue of this Commission, those persons had authority to Consecrate or Confirm the Archbishop of *York* (if it should happen,) or any Bishop within the Province of *Canterbury*; which without it they had not.

Another, shall be the *Declaration* of his Majesty, (whom God grant long to Reign over us) *touching affairs of Religion*; in which he deprives all the Bishops and Archbishops in the land of their power of *sole Ordaining and Censuring their Presbyters*, and joyns their Presbyters in Commission with them, as to those acts of *Ordaining and Censuring*.

The eleventh Chapter.

Bringing the third Proof from the Consecration of Matthew Parker.

MY third proof, shall be from the Consecration of *Matthew Parker*, the first Protestant Archbishop of *Canterbury*, from whom all the Archbishops and Bishops that have been since, descend; and so if he had no authority to Confirm or Consecrate a Bi-

shop, but what he had from the Queen, none since him can have; because they can have none but must be derived to them from and by him.

Now that he had none but from the Queen, is proved.

They who Confirmed and Consecrated him, had no authority for it, but from the Queen.

Therefore he had none but from the Queen.

The *Consequence*, I suppose will not be denied; because he had all his Spiritual Jurisdiction, by his Confirmation and Consecration to that See: if then they who Confirmed and Consecrated him, did it by no authority but of the Queen; he could have none but what he had from Her.

The *Antecedent* is easily proved. For if they had any, it must be, either as Bishops *Ordine*, or as Bishops *Officio*: but neither of these wayes had they any.

1. Not as Bishops *Ordine*: because to Confirm or Consecrate a *Pastor*, is an act of *Jurisdiction*: which a Bishop *Ordine* onely, hath none.

2. Not as Bishops *Officio*: because

First, not one of them was so, as appears

pears by the stile given them in the
 Queens Letters Pattents to them for this
 business [*Regina ꝛcc. Antonio Land-*
avensi Episcopo, Wilelmo Barlow quondam
Bathoniensi Episcopo, nunc Cicestrensi
Electo, Joanni Scory quondam Cicestrensi
Episcopo, nunc Electo Herefordiensi, Mi-
lioni Coverdale quondam Exoniensi Epis-
copo, Richardo Bedfordensi, Joanni Thed-
fordensi, Episcopis Suffraganeis, & Jo-
anni Bale Ossoriensi Episcopo.] Where
 you see, those four that Confirmed and
 Consecrated him, (admitting their *Lam-*
beth Records for true,) to wit, *Barlow*,
Scory, *Coverdale*, and *Hodgskins* (Suffra-
 gan of *Bedford*,) are not stiled *Bishops* of
 any See, as two of the other are,
 (he of *Landaff*, and he of *Ossory*,) but
 either *quondam* Bishops onely, as *Cover-*
dale, or *quondam* Bishops and Lords
Elect onely, as *Barlow* and *Scory*, or
Suffragan Bishops onely (as *John Hodg-*
skins,) that is, who had indeed the *Epis-*
copal Character, but were Pastours of
Parochial Churches onely, erected into
Suffragan Sees, by the Act of 26. H. 8.
 14. who by the Act could not exercise
 any least act of Jurisdiction, no not
 within their own parish, without license
 of

of the Bishop of the Diocese.

Secondly, because had they been all of them actual Bishops of Cathedral Churches, yet, they could not validly Confirm or Consecrate any lowest Bishop in the land, and much less their *Metropolitan*, without a Faculty or Commission from some Superiour to that See. And the reason is evident: Because

1. They could not (by their own authority) validly exercise any Jurisdiction out of their own Diocesses, as *London* where they were to Confirm, and *Lambeth*, where they were to Consecrate him, was out of all their Diocesses.

2. Nor within his own Diocess could any one of them give Jurisdiction to be exercised in another Diocess, as *Canterbury* was.

3. Much less could they (being but simple Bishops) give a Jurisdiction *Metropolitica*, and create a Superiour to themselves, and to all the Bishops of the Province, yea and to the Archbishop of another Province, namely him of *York*: for they could not give a Jurisdiction which they had not.

These two grand defects therefore, in the

the condition, state, and faculty of the Confirmers and Consecraters of *Mattheu Parker*, the one against the Canons of the Church, that they had no consent of the Metropolitane to the See of *Canterbury*, the other against both the Canons of the Church, and the laws of the land, that not one of those who were like to execute the Commission, was a Bishop (*simpliciter*, or in the sense wherein all laws, both of the Church and of the Land, mean, when they speak of a Bishop,) rendring them incapable to Confirm or Consecrate him, till those defects were supplied; the party that supplied those defects, was the party that gave them their authority to those acts. Now it is manifest by the Queens Commission to them, that she, by vertue of her Supremacy in causes Ecclesiastical, did supply to them those defects: for these are the words of the Commission.

“ [Regina, &c. Reverendissimis in
 “ Christo Patribus, Antonio, &c. (ut supra) Com Decanus & Capitulum Ecclesie nostrae Cathedrae & Metropolitice Christi Cantuariensis dilectum
 “ nobis in Christo Magistrum Mattheum
 “ Parker, sibi & Ecclesie predictae elegerunt

"runt in Archiepiscopum & Pastorem :
 "nos eidem electioni Regium nostrum
 "assensum adhibuimus pariter & favo-
 "rem, & hoc vobis tenore præsentium
 "significamus, rogantes, ac in fide & di-
 "lectione quibus nobis tenemini, firmiter
 "præcipiendo, Mandantes, quatenus
 "vos aut quatuor vestrum eundem in
 "Archiepiscopum & Pastorem Ecclesiæ
 "prædictæ sicut præfertur electum, ele-
 "ctionemque prædictam, Confirmare,
 "& eundem in Archiepiscopum & Pasto-
 "rem Ecclesiæ prædictæ Consecrare,
 "cæteraque omnia & singula peragere,
 "quæ vestro in hac parte incumbunt
 "Officio Pastoralis, juxta formam Sta-
 "tutorum in ea parte editorum & provi-
 "sorum, velitis cum effectu. Supplentes
 "nihilominus Supremâ autoritate no-
 "strâ Regiâ, si quid, aut in his quæ juxta
 "mandatum nostrum prædictum per vos
 "fient, aut in vobis aut vestrum aliquo,
 "conditione, statu, aut facultate vestris,
 "ad præmissa perficienda defuit aut de-
 "erit eorum quæ per Statuta hujus Reg-
 "ni nostri, aut per Leges Ecclesiasticas,
 "in hac parte requiruntur aut necessaria
 "sunt, temporis ratione & rerum neces-
 "sitate id postulante, viz.] because nei-
 ther

ther the consent of the Metropolitane (the Bishop of *Rome*,) nor four Bishops, as the Law of the Realm, nor three, as the Canons of the Church required, nor any one Bishop could be then had to his Confirmation and Consecration. Now though really she could give them no such authority; because she had no power of the *Keyes*, to which it pertained to dispense with the Canons of the Church: yet this suffices to prove my intent, that they had no authority to either of those acts, but what they had from Her.

The twelfth Chapter.

Replying to Doctor Heylins Answer.

DOCTOR *Heylin* undertakes to answer *Eccles. Resp.* all our Objections against the Canonality of *Matthew Parkers* Consecration: but he neither sets them down all, nor solves those he doth; as will appear by the Reply.

1. *Ans.* "Though *Barlow* and *Sees* were deprived of their Episcopal Sees; yet, first, the justice and legality of their Deprivation was not clear in Law.

Rep.

Rep. 1. And why then did the Queen in her Letters Patents not stile them *Bishops*, but onely *quendam* Bishops of those Sees? And why did she not in all that time (being above thirteen moneths after her coming to the Crown) restore them to those Sees? And why did she, or how could she, they living, place others in those Sees, without their resignation. 2. Grant the deprivation had been unjust, yet till it was avoided, and they restored by sentence, they were no *Bishops* of those Sees, in the eye of the Law. 3. Had they been actual Bishops of those Sees, yet they would have had no authority to Confirm or Consecrate him, for the defects shewed *supra*.

2. *Ans.* " Secondly, they neither
 " were nor could be deprived of their
 " Episcopal Character: and whilst that
 " remained, they were in a capacity for
 " performing all Episcopal Offices to
 " which they should be called by their
 " Metropolitane, or any higher power
 " directing and commanding in all such
 " matters as concerned the Church.

Rep. If by, *higher power*, &c. he mean *Ecclesiastical*; it is true, he saith, but impertinent, because they were not
 cal-

called to Confirm or Consecrate *Matthæw Parker*; by any such higher power, but onely by the Queen. But if he mean, that their Episcopal Character rendred them capable to perform all Episcopal Offices, to which they should be called by a Lay-Prince onely, having no other authority in matters as concern the Church, but onely to *direct* or *command* Bishops to perform their Offices, it is notorious false doctrine.

3. *Ans.* "As for *Suffragans* (by which title *Hodgkins* is Commissionated for the Consecration) they were no other then the *Chorepiscopi* of the Primitive times, ordained for easing the Diocesan, &c.

Rep. They were in some things more then the *Chorepiscopi*, for they (the *Chorepiscopi*) were no Bishops *Ordine*, which these were: but in other things they were less, for the *Chorepiscopi* had Jurisdiction Episcopal from some lawful Bishop of the See; which these had not, but were onely established by an Act of Parliament of *Hen. 8.* nor had any of the Bishops then in the Realm Episcopal Jurisdiction, being manifest Hereticks and Schismaticks, and so could not constitute

stitute a Suffragan. But grant they were
 no less then the *Chorepiscopi*, he cannot
 shew that ever any *Chorepiscopus* was
 used for the Confirming or Consecrating
 of a Bishop. And this shall serve for the
 second part of my Conclusion, *that they*
are no Bishops Officio, (or Canonical Bi-
shops.)

The

The thirteenth Chapter.

Proving the third part of the Conclusion, that they are no legal Bishops: and urging the first Reason, because the Act of H. 8. for the Roman Form, is still in force.

THough it matter not much to my purpose, whether they be *Legal* Bishops, or not: yet because our writers have objected this also against them, [*Is it not notorious, that you were not Ordained according to the prescript, I will not say, of the Church, but even of the very Statutes,*] and their late Champions have undertaken to defend it; and the discussing of it will give much light into the whole Controversie, and more abundantly discover the nullity of their Consecrations, this shall be the third part of my Conclusion, that *they are no legal Bishops.* My reasons are two.

The first is, because the Act of 25. Hen 8. 20. which authorizes the *Roman* Form for Consecrating Bishops (by giving *Pall*, and using *Benedictions*, *Unctions*, and all other Ceremonies requi-

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site at that time, viz. by the Roman Pontifical, which was then in use, in this Nation,) being repealed by Q. Mary, was revived 1. Eliz. and never since repealed, and so is still in force.

Nor will it serve to say, that that Act of Hen. 8. was repealed (as to that part of it) *virtually*, (or *interpretatively*.) by the Act of 8. Eliz. which established another Form, for in the judgement of Law, an Act of Parliament is not repealed but by *express* words.

The fourteenth Chapter.

Urging the second Reason, because the Act of Edw. 6. for the Book of Ordination, being repealed by Queen Mary, is not yet revived; and proving the first part of the reason, that it was not revived after 8. Eliz.

THe second reason is, because granting that the Act of Hen. 8. was *virtually* repealed, by 8. Elizabetha, and that such *virtual* repeal is sufficient in Law, yet the Form of Edw. 6. (by which they are Ordained) cannot be *legal*, because that part of the Act of Edward

Edward 6. which established the Book of Ordination, and was repealed by *Queen Mary*, was not revived afore *8. Eliz.* nor then neither.

The first part of this reason, (*that it was not revived afore 8. Eliz.*) is easily proved. For whereas that Act of *5. and 6. Edw. 6. 1.* consisted of two parts; one, which authorized the Book of Common-Prayer (established *2. and 3. Edw. 6.*) as it was then newly explained and perfected; another which established the Form of Consecrating Bishops, &c. and added it to the Book of Common-Prayer: this Act, as to both these parts, was repealed *1. Mar.* and this repeal was reversed *1. Eliz. 1.* as to that part which concerned the Book of Common-Prayer *only*: for so runs the Act [*The said Statute of Repeal, and every thing therein contained, O N E L Y concerning the said Book (viz. of Common-Prayer, authorized by Edw. 6.) shall be void and of none effect.*] And afterward, *8. Eliz. 1.* was revived that other part of it which concerned the Form of Ordination, viz. in these words [*Such Order and Form for the Consecrating of Archbishops, Bishops, &c.*

as was set forth in the time of Edw. 6. and added to the said Book of Common-Prayer, and authorized 5. and 6. Edw. 6. shall stand and be in full force, and shall from henceforth be used and observed.]

The fifteenth Chapter.

Replying to Doctor Bramhall's Answer.

pag. 95. **F**irst, he sets down our Objection wrong. [*The Book of Ordination was expressly established by name, by Edw. 6. and that Act was expressly repealed by Queen Mary: but the Book of Ordination was not expressly restored by Queen Eliz. but only in general terms, under the name and notion of the Book of Common-Prayer.*] For this is not our objection, but this: it was not restored at all, but rather formally excluded, by 1. Eliz. For that Act of Edw. 6. consisting of nothing else, but the authorizing of the Book of Common-Prayer, and establishing, and adding to it, the Book of Ordination; and the Act of Queen Mary having repealed that whole Act: that Act of 1. Eliz. reversing that repeal,

peal, as to the Book of Common Prayer
early, did plainly and directly exclude
 the repealing of it as to the Book of
 Ordination, there being nothing else to
 be excluded by that *early*, but that
 Book. And I am confident, it was
 the full intent of the Queen and Parlia-
 ment at that time, to retain still, as the
 Order of Bishops, so the Catholique
 Form of Consecrating them, autho-
 rized by Act of Parliament, 25. Hen. 8.
 20. after his revolt from Rome, and used
 all his time till his death, and for some
 years of Edw. 6. For that Queen loved
 state and solemnity in the Rites of the
 Church where it jumbled not with her in-
 terest, and loathed the slovinly way of
 Ordaining, used by Lutherans and Cal-
 vinists, until she was overborn in it, at
 the Consecration of Matthew Parker,
 when no Catholick Bishops could be got
 to Consecrate him, and the Protestant,
 would not Consecrate him *ritu Romano*.
 And one good reason of my confidence
 is, because that Act of 1. Eliz. did ex-
 pressly revive that Act of 25. Hen. 8. 20.
 which was inconsistent with the reviving
 of that part of the Act of Edw. 6.
 which concerned the Book of Ordina-

tion; that Form authorized by the Act of Hen. 8. being the *Roman Form*, with Pall, Uction, Benedictions, Miter, Ring, &c. and that of *Edw. 6.* a bald thing, without any of that dress.

Secondly, the answers he gives to the Objection are false, or frivolous; as will appear by the Replies.

Ans. "Queen *Maries* Statute was repealed sufficiently even as to the Book of Ordination, as appears by the very words of that Statute which repealed it. [*And that the said Book, with the order of Service and administration of Sacraments, Rites, and Ceremonies, shall be in full force and effect, any thing in Queen *Maries* Statute of repeal to the contrary notwithstanding.*]

Rep. By these words appears it was not repealed as to the Book of Ordination, because the words preceding, repealed it expressly as to the Book of Common Prayer only, and these words revive the Statute of *Edw. 6.* as to that Book only.

Ans. "That the Book of Ordination was a part of the Book of Common Prayer, and printed in this Book in King

"King *Edward* says, beside the express testimony of the Statute of 8. *Eliz.* we have the authority of the Canons of the Church of *England*, which call it singularly, *the Book of Common-Prayer and of Ordering Bishops.*

Rep. The Statute of 8. *Eliz.* testifies no such thing, much less expressly. And the Canon by him cited is against himself, implying it was no part of the Book of Common-Prayer, (for then it had been vain to say, *the Book of Common-Prayer and of Ordering Bishops*) but a distinct Book by it self, though bound up in one volume, or under one cover, with the Book of Common-Prayer; and thence, called singularly, *the Book of Common-Prayer, and of Ordering Bishops*; i. e. the Book containing both those Books.

Ans. "It is our Form of Prayer upon that occasion, as much as our Form of Baptizing or administering the Holy Eucharist, or our Form of Confirming, Marrying, or visiting the Sick.

Rep. True, but not contained in the Book of Common-Prayer, (but in a distinct Book,) and therefore not revived

with it necessarily, or in-virtue of that name, *the Book of Common-Prayer.*

Ans. "It is also a part of our Form
" of administration of the Sacraments.
" We deny not Ordination to be a Sa-
" crament.

Rep. But it is not a Sacrament con-
tained in the Book of Common-Prayer;
and therefore not revived with that
Book.

Ans. "No man can deny that it is a
" part of our Ecclesiastical Rites and
" Ceremonies, and under that notion,
" sufficiently authorized.

Rep. Any man can, and I do deny it
to be any Rite or Ceremony pertaining
to the Book, of Common-Prayer: and
therefore under that notion it could not
be authorized by an Act authorizing the
Book of Common-Prayer.

Ans. Lastly, *Ejus est Lex interpretari ejus est condere.* Q. *Eliz.* and her
Parliament made the Law, and expound-
ed it by the same authority that made it,
declaring, that under the Book of Com-
mon-Prayer, the Form of Ordination
was comprehended, and ought to be un-
derstood.

Rep. He should have quoted the
words

words so declaring, and no doubt would have done it; had there been any: but there are no such. Nay divers passages of that Act, do rather declare the contrary. As

1. When speaking of the Act of 1. *Maria*, they say, *it repealed the Act of Edw. 6. for allowing the Book of Common-Prayer, and other the premises* (that is, the Book of Ordination, spoken of before, as added, by that Act, to the Book of Common-Prayer :) but speaking of the Act of 1. *Eliz.* they do not say, it established the said Book of Common-Prayer, and other the premises; but only, *the said Book of Common-Prayer, and of the administration of Sacraments, and other the said Orders, Rites, and Ceremonies before mentioned* (that is, contained in the said Book of Common-Prayer; for no other were before mentioned.)

2. When for the Book of Common-Prayer, they mention the Act of 1. *Eliz.* that had authorized it; and only confirm that Act [*The said Act of 1. Eliz. whereby the said Book of Common-Prayer is authorized, shall stand and remain good.*] But for the Book of Ordination, they mention not the Act of 1.

Eliz.

Eliz. but revive the Act of *Eliz.* 6. for it. [*Such Order and Form for the Consecrating of Archbishops, &c.* as was authorized by 5. and 6. *Edw.* 6. shall stand and be in full force;] which had been vain, if it had been revived before, by 1. *Eliz.* as it would have been, if it had been a part of the Book of Common-Prayer,

The sixteenth Chapter.

Noting Doctor Heylin's varying from himself, and falsifying the Act of 8. Eliz.

DOCTOR *Heylin* relating this matter as an Historian, first, varies from himself, and then notoriously falsifies the Act of 8. *Eliz.*

1. He varies from himself, for one while, he delivers it (as the truth was) that the Liturgy was confirmed 1. *Eliz.* and the Book of Ordination not afore 8. *Eliz.* [*In the first year of Her Reign, the Liturgy was confirmed by Parliament. In her fifth, the Articles of Religion were agreed upon in the Convocation. And in the eighth, the Government of the Church by Archbishops*

Est. Test.
in Ep. 10
Reader.

*Bishops, received as giving a Confirmation as the Law could give it. And for this last, we are beholden unto Bonner, &c.] And elsewhere [In the fix and p. 1. f. 83. thirtieth Article is declared that whosoever were Consecrated according to the Rites of the Ordinal of Edw. 6. should be reputed lawfully Consecrated; which Declaration of the Church was afterwards made good by All of Parliament in the eighth year of that Queen, in which the said Ordinal is confirmed, and ratified.] And yet another while he saith, it was *ibid.* approved of and confirmed as a part of the Liturgy. For if so, then it was confirmed with the Liturgy, 1. Eliz.*

2. Then he notoriously falsifies the Act of 8. Eliz. [*The business (saith he) came p. 2. f. under consideration in the following Par- 174. liament (8. Eliz.) where all particulars being fully and considerately discoursed upon, it was first declared, (setting down these that follow as the words of the Act.) " That their (the Parliament 1. " Eliz.) not restoring of that Book to " the former power, in terms significant " and express, was but Casus emissus; " and secondly, that by the Statute of " 5. and 6. Edw. 6. it had been added to the*

"the Book of Common-Prayer, and ad-
 "ministration of the Sacraments; as a
 "member of it, or at least an appendant
 "to it; and therefore by 1. *Eliz.* was
 "restored again together with the said
 "Book of Common-Prayer, *intentional-*
 "ly at the least, if not in *terminis*, But
 "being the words in the said Statute
 "were not clear enough to remove all
 "doubts, they did therefore revive it
 "now, and did accordingly enact, &c.]
 when there is not any one of these sen-
 tences in the Act, I do not say in words,
 but not so much as in sense; nay, when
 the Act supposed the contrary, as is
 shown *supra*.

The seventeenth Chapter.

Confirming the Argument, by the proceed-
ings in Bonners Case; and urging the first
inference for the opinion of the Judges.

THIS that I have urged, (that that
 part of the Act of *Edw. 6.* for
 the Book of Ordination, was not revi-
 ved afore 8. *Eliz.* and consequently
 they no legal Bishops, afore that Act)
 is so true, as that it was the opinion of
 even

even the Protestant Judges at that time, and of the Parliament that made that Act; as may be manifestly inferred from the proceedings of the Judges and Parliament in the Case of *Banner* and *Horn*; which was this.

By the first Session of that Parliament, 5. *Eliz.* 1. power was given to any Bishop in the Realm, to tender the Oath of Supremacy, (enacted 1. *Eliz.*) to any Ecclesiastical person within his Diocesis, and the refuser was to incur a *Premunire*. *Mt. Horn* (the new Bishop of *Winchester*;) tenders (by virtue of this Statute,) the Oath unto Doctor *Banner* (Bishop of *London*, but deprived by *Q. Eliz.* and then a Prisoner in the *Marshalsea*, which was within the Diocesis of *Winchester*.) *Banner* refuses to take it. *Horn* certifies his refusal, into the Kings Bench, whereupon *Banner* was indicted upon the Statute. He prays judgement, *Disce.* whether he might not give in evidence fol. 234. upon this Issue, *Quod ipse non est inde culpabilis, eo quod dicitur Episcopus de Winchester non fuit Episcopus tempore oblationis Sacramenti.* And it was resolved by all the Judges at Serjeants *Inne*, that if the verity and matter be so indeed, he should

should well be received to give in evidence upon this Issue, and the Jury should try it. After which we hear no more of the Indictment. And at the next Session of that Parliament (which was 8. Eliz.) was revived the Act of Edw. 6. for the Book of Ordination, and enacted, *That all that have been, or shall be made, Ordered, or Consecrated Archbishops, Bishops, &c. after that Form of Edw. 6. be in very deed, and by authority hereof, declared, and enacted to be, and shall be Archbishops, Bishops, &c. and rightly made, Ordered, and Consecrated, any Statute, Law, Canon, or other thing to the contrary notwithstanding. But with this Proviso, that no person shall be impeached by occasion or mean of any Certificate, by any Archbishop, or Bishop, heretofore made, or before the last day of this Session, to be made, by vertue of any Act made in the first Session of this Parliament, touching the refusal of the Oath, enacted 1. Eliz. And that all tenders of the said Oath, and all refusals of it so tendered, or before the last day of this Session, to be tendered, by any Archbishop, or Bishop, shall be void.*

Now from this Story, I make two

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inferences to my purpose.

The first, that in the opinion of the Judges at that time, the Act of *Edw. 6.* for the Book of Ordination, was not revived by 1. *Elix.* and so *Horn* was no Legal Bishop. For otherwise, there is no reason imaginable, why *Horn* would not joyn issue with *Bonner* upon that point, *non fuit Episcopus tempore oblationis Sacramenti*; and so come to a trial of it.

The eighteenth Chapter.

Refusing the shifts used by Mr. Mason, and Doctor Heylin to evade this inference.

M After *Mason* puts this for our 1. 3. c. Question, *Qua ratio dilata Sen. 11. n. 6. tentia?* (whereas that, is not our question, but this, *Why did not Horn joyn issue?* &c.) and, to avoid the true one, gives other reasons for it; but very frivolous ones, as will appear by the Answers.

1. *Reas.* " *Bonner's* Counsel, though
 " they pleaded *Horn* was no Bishop,
 " yet (for ought appears by *Dyar*) they
 " gave no reason for it. It seems there-
 " fore

“fore that the Judges allowed them
 “longer time, to produce their reasons,
 “that so the dignity of the Bishops
 “might shine more clear.

p. 2. f.
 173.

Ans. Doctor Hrylin saith, *Banners*
 Council did give their reason, viz. that
 the Form of Edw. 6. had been repealed by
 Q. Mary, and so remained at Horn's
 pretended Consecration. But I suppose it
 a mistake of his, for it is not the use, in
 the entring of a Plea, to give a reason
 of it, for that is to be shewn and plea-
 ded at the *hearing*; which this cause ne-
 ver came to. And therefore that could
 be no reason of the delay of sentence.

2. *Reas.* “Other Jurors were to be
 “warned out of *Surrey*, afore sentence
 “could be given.

Ans. It was not time to warn Jurors,
 afore Issue joyned, which this never was.
 And when they were to be warn'd, it
 was but out of *Southwark*; which might
 have been against the next term: and so
 could be no reason, why sentence was
 delayed, two years, or near upon, as it
 was betwixt this pleading at Serjeants
 Inn, and the Session of 8. *Eliz.*

3. *Reas.* “Whilst the Suit was de-
 “pending, which began 7. *Eliz.* a
 “Par-

"Parliament was held, 8. *Eliz.* in
 "Which all suits depending for refusal of
 "the Oath of Supremacy, were dissol-
 "ved.

Ans. He is out in his reckoning. For
Horn (thirsting after *Bonners* ruine,
 who it is thought was the man
 chiefly aimed at in that Act) began
 the Suit soon after that Act of 5. *Eliz.*
 and procured him to be Indicted, and
Bonner demurr'd to it; which (as Do-
 ctor *Heylin* saith) being put off from Term
 to Term, came at last to be debated among
 the Judges at Serjeants Inn; which was
 in Michaelmas Term, which began in 6.
Eliz.: betwixt which and the Parliament,
 was two years or near upon. So that Act
 could be no reason why it was delayed all
 that time, after the Judges had made
 that Rule for the Issue and trial of it.

Doctor *Heylin* therefore gives another p. 216.
 reason for it, and I believe the true one, 173:
viz. that it was advised (which he must
 mean,) by the Judges, to *Horn*, for it was
 not in the power of *Bonner*, being De-
 fendant; to refer it,) that the decision of
 the point should rather be referred to the
 following Parliament. And of this advice,
 he gives this reason, for fear such a weigh-

by matter might miscarry by a contrary Jury.

Ans. But this could be no reason: because the Decision of the point in Law, upon which rested the whole difficulty, and which alone could be referred to the decision of the Parliament, (*via.* whether the *Form* of *Edw. 6.* were *Legal*; or, whether one *Consecrated* by that *Form*, were a *Bishop*;) was not to be put to the Jury, but to be determined by the Judges, and the Jury to try onely the matter of fact, whether he were so *Consecrated*. If therefore the Judges had delivered it for Law, that *Horn*, if so *Consecrated*, was a *Bishop*, and he could have proved he was so *Consecrated* (as was easie, for him to do, if the Records be true,) the Jury must have found him a *Bishop*, or incurred an *attaint*, which there was no reason to fear they would do, in such a cause as that, where the Queen was Plaintiff, a Protestant Bishop (and their neighbour, and Landlord to most of them, being *Southwark* men) the Prosecutour, all the Bishops and Clergy in the land, (made by the new *Form*;) extreamly interested in the verdict, and onely a Papist, generally

rally hated, and deprived of all Office and power in the State, and then a prisoner, the Defendant: And that which he addes to colour his reason, [*That there had been some proof made before, of the partiality or insufficiency of a Jury, touching grants made by King Edwards Bishops:*] if meant of Juries in Queen *Maries* time, was no reason in Queen *Elizabeth*: and if meant in *Her* time, helps to confirm what I say, that afore *8. Eliz.* neither Judges, nor Juries, could finde King *Edwards* Bishops were legal Bishops. The true reason therefore why the Judges advised *Horn* to refer his Cause to the Parliament, can be no other then this, as I say, that they found an Act of Parliament was necessary to make him a Bishop.

The nineteenth Chapter.

Urging the second inference, for the opinion of the Parliament.

M^Y second inference is, that the Parliament *8. Eliz.* were not of opinion that *Horn* was a legal Bishop. For if they had:

F 2

1. They

1. They would not have revived the Act of *Edw. 6.* for the Form of Ordination: for that implied, it was not revived afore: and if not, they could be no legal Bishops.

2. They would have made no *Law* in the Case, but left it to a judgement of the *Court*, or onely given a *Sentence* in it themselves.

3. If they would make a *Law* for it yet 1. They would not have *enacted* them to be Bishops, but onely *declared* that they were so. 2. Nor would they have said as they do [*Be it declared and enacted, that all things heretofore done, in or about the Consecration of Archbishops and Bishops, be, and shall be, by Authority of this Parliament, at, and from every of the several times of doing thereof, good and perfect, any matter or thing that can or may be objected to the contrary notwithstanding;*] which, except meant of the making them so to be, by vertue of that Act, would be meet non-sense and contradiction: but thus, [*All things heretofore done, &c. were in very deed, at and from every of the several times of doing thereof, good, without authority of this Act, and any matter or thing to be objected to the*

con-

contrary.] 3. Nor would they have said as they do, [*All that have been Consecrated Archbishops, &c. since her Majesties Reign, be in very deed, and also by authority heresof, declared, and enacted to be, and shall be, Archbishops, and Bishops, and rightly Consecrated, any Law, Canon, or other thing to the contrary notwithstanding;*] which, except as afore, would be another strange medley of nonsense and contradictions, (which ambiguous language they were driven to, out of a desire to use some words for the honour of the Bishops, as if Bishops afore, and of a necessity to use other, for the creating them such then;) but they would have said, in plain and good English, which would have put the matter out of question [*All that have been Consecrated; were in very deed, at and from every of the several times of their Consecrations, Archbishops, and Bishops; and rightly Consecrated, according to Law.*]

4. Nor would they have recited (as they do) at large, the Supreme Authority given to the Queen, by 1. Eliz. *To assign and authorize such persons as she should think meet, to exercise under Her*

all manner of Spiritual Jurisdiction, and thereupon inserted, [So that to all that will well consider of the effect and true intent of the said Statutes, and of the Supreme and absolute authority of the Queen (to make Bishops, by Her Commission only, with, or without any Legal Form of Consecration, or with, or without any Bishop for the Consecrators,) and which she by her said Letters Patents hath used, in, and about their Consecration, (by supplying to them all defects, either in the Form they should use, or in the faculty, state, or condition of the Consecrators, whether Bishops or not Bishops) it is and may be evident that no cause of forfeiture can or may be objected against their Consecrations; for this grounds the Legality, both of the Form, and of the Consecrators, not upon the things in their own nature, but upon the authority of the Queens Commission, which supplied to them all defects in Law: but they would have said plainly, and without praying any such aid from the Queens Supremacy, [They were Consecrated by Legal Bishops, and by a Legal Form; or the Form of Edm. 6. was a Legal Form, & was revived

by 1. Eliz. &c.] seeing that was the only exception against the Form of their Consecrations.

5. Nor, least of all, after *Bonner* had put in a plea so insolent, and reproachful to the Queen, Her Bishops, and their whole Clergy and Church, and (if *Horn* had been a Bishop) had incur'd a *Pro-munire* for refusing the Oath of Supremacy; and when the acquittal of him, and of all other refractory refusers of the Oath, afore the last day of that Session, (when there was no other exception to the Certificates, but this, *that they that made them were no Bishops,*) and this, without, and afore any petition exhibited, or submission promised, on the Delinquents part, would, in the interpretation of all indifferent men, redound notably to the justifying of *Bonner's* plea, and consequently, to the insauy of their whole Clergy, and Church: I say, all this considered, they would never have made such *Proviso's*, for the indemnity of *Bonner* and the other Delinquents, if they could have found *Horn* a Legal Bishop.

The twentieth Chapter.

Refuting the shifts devised to evade this inference.

l. 3. c. 11.
n. 7.

M After *Mason*, saith, *This annulling of Horn's Certificate, doth not argue Bonner's innocence, or any Defect in Horn's being a Bishop, but only the great favour and indulgence of the Parliament.* For (saith he) first they cleared our Bishops from the calumny of their adversaries, and then graciously pardoned Bonner and his fellows, that had so impudently shewn upon the Bishops, for offering the Oath to them. For they hoped it would come to pass, that they who out of ignorance, or malice, had alwayes before that been snarling at their Consecrations, would at length be wise.

Refut. 1. They did not first clear their Bishops (as is shewed afore.) 2. Nor did they pardon Bonner and his fellows, but annul the process. 3. That Act was so far from shewing the Catholiques their error touching the nullity of their Bishops, as it served rather to confirm them in it. 4. I cannot think Master
Mason

Mason was so simple, as either to believe it himself, or hope to perswade it to any reasonable man, either that the Parliament had any such hope of *Bonner* and his fellows, or if they had, that that hope should move them to shew such favour to men that had so impudently flown upon their *Bishops*, onely for offering an Oath to them, which the Law authorized them to do: or if they did, that they would not have intimated that to have been the reason of their favour, (thereby to prevent the adversaries misconstruction of it,) nor have limited that favour to such who should at length be wise, and not snarl any more at their Consecrations, nor have appointed sentence to be first given for their being *Bishops*, and then the Delinquents to have their pardons upon suing out, but wholly annul the Indictments, and all Certificates of their *Bishops*.

Doctor *Heylin*, saith, *This favour was par. 2. indulged, to them of the Laity, in hope of sol. 174. gaining them by fair means, to a sense of their duty; to Bonner, and the rest of the Bishops, as men that had sufficiently suffered upon that account, by the loss of their Bishopricks.*

Refut.

Refuta But 1. no favour could be intended to them of the *Laiety*, because the Act (of 5. *Eliz.*) authorized not the tendering of the Oath to any but *Ecclesiastical* persons.

2. The favour was indulged, not to *deprived Bishops* onely, but to all *Deans*, *Archdeacons*, *Prebends*, *Parsons*, *Vicars*, &c. and to them that had yet perhaps lost nothing, as well as to them that had.

3. As soon as their *Bishops* should be *Legal* (that is, presently after that Session,) the penalty of that Law was to be inflicted on all alike, as well the *deprived Bishops*, as any other.

pag. 99. Doctor *Bramhal* therefore gives a more likely reason of those *Proviso's*, viz. the ambiguity of the Act of 5. *Eliz.* whether it had revived the Book of Ordination, or not. [Although (saith he) the Case was so evident, and was so judged by the Parliament, that the *Form of Consecration* was comprehended under the name and nation of the Book of *Common-Prayer*: yet in the Indictment against *Bonner*, I commend the discretion of our Judges, and much more the moderation of the Parliament. Criminal Laws should be written with a beam of

of the Sun, without all ambiguity.]

Refut. But neither will this reason hold water. For 1. the Case was not evident, that the Book of Ordination was revived with the Liturgy as a part of it, but rather evident it was not (for the reasons given *supra.*) 2. The Case was not *sejudget* by the Parliament, but rather the contrary (as is shewed *supra.*) 3. How could the Case be evident; and yet *Ambiguous*? (as he saith both.) 4. Had it been meer moderation of the Parliament, by reason of the ambiguity of the Law; they might, and no doubt would have intimated as much, and (considering the conjuncture of things) have found out some other way of shewing that moderation (as by *pardoning* the Delinquents, &c.) then by annulling the Indictment, after such a plea entred by *Banner*, that *Hera* was no Bishop: for this could signifie no less then an acknowledging of the Plea.

The one and twentieth Chapter.

Proving the second part of the reason, that it was not revived then.

THe second part of my reason, that the Act of Edw. 6. for the Book of Ordination was not revived by 8. Eliz. is proved: because the Act of Queen Mary for repeal of it, was never yet repealed: and so being then in force, was an obstacle to the Legal reviving of King Edwards Act: because two repugnant Laws, (as those were) cannot be both in force: and the Act of Q. Eliz. being the latter, could not be in force, till the other were repealed.

If it be said, Queen Marys Form was repealed *virtually*, and in the institution of the Law-maker, by authorizing another. 1. This is not sufficient, because an Act of Parliament is not legally repealed but by *express* words. 2. Grant it were sufficient: yet Queen Marys Form was not repealed, so much as *virtually*; because a Law cannot be abrogated, but by as great an authority as made it, which this was not: because Queen Marys Act was made by a full Par.

Parliament, or by all the three Estates, (*Lords Spiritual, Temporal, and Commons,*) whereas the repeal was but by two thirds of the Parliament, or by two Estates onely, (the *Lords Temporal and Commons*;) those that then sat upon the Bishops Bench in the Lords House, being no Bishops (as is proved *supra*;) and all the Catholique Bishops then living, (which were the rightful Bishops) being, *by unjust force*, hindered from being present, and dissenting to what was done. I say, *by unjust force*: because neither were they deprived by any judicial sentence, (whence it was found needful afterward to make their deprivations good, by a *Law, 39. Eliz. 1.*) nor was that Act of *1. Eliz.* which enacted the Oath of Supremacy, and involved the resellers of it in a *Præmunire*, by vertue whereof they were by force put out of their Bishopricks, and kept in prison, a Legal Act, for reasons given *infra*.

If it be said, the authority of the *two* Estates (if they were no more) was as great *formally*, as of all the *three*; because the Bishops are no essential part of the Parliament. 1. This is said *gratis*, for they are, and (when no violence hath

13. Car.
2. 2.

hath been on foot against them) ever have been counted, an essential part. And this Parliament now in being, seems to acknowledge as much, when speaking of the Act of the Long Parliament for abolishing the Bishops Jurisdiction, they say, *it contained divers alterations prejudicial to the constitution, and ancient rights of Parliament, and contrary to the Laws of the Land*: meaning principally the excluding them from their Votes in Parliament; and so thereby implying, that they were a *constitutive* part of the Parliament, by ancient Right, and the Law of the Land. 2. Granting (as it may be true, in case of necessity, as now, when there are no Bishops in the Land) that they were no necessary part *absolutely* or as to *all* affairs, namely, not as to the making of *Civil* Laws, or which should concern the Subjects in *common*; yet certainly in Acts that purely concern *Religion*, and the *Clergy* in particular, it must be said in reason, they are an *essential* part: because they alone are to be supposed knowing in Gods Law; and they being so considerable a part of the Nation, cannot be concluded by the Laws there made, unless they have

have some to represent them; and interpose in their behalf; which they have none there but the Bishops. And so for this reason, this act of 8. *Eliz.* for authorizing the Form of Consecrating Bishops, and the first and second Acts of 1. *Eliz.* for enacting the Oath of Supremacy in causes Ecclesiastical, making it treasonable to take Orders from the See of *Rome*, establishing the Form of publick Divine Service and Sacraments, &c. and all other that have been made since, in matters of Religion, are no valid Acts in Law; because made without consent of the Lords *Spiritual*; the rightful Bishops at that time, (whilst there were any living) being unjustly excluded from the Parliament; and none of those that have been made since the beginning of Queen *Eliz.* Reign, being Legal Bishops.

Epilogue.

ANd now the Reader may judge how little reason Doctor *Heylin* had to boast, (as he does) of his Church, as it was settled by Q. *Eliz.* and to bestow so much pains in writing that Book to describe that settlement. "And now we may behold (saith he) the face of the Church of *England*

" land, as it was first settled and established under
 " Q. *Eliz.* The Government of the Church, by
 " Archbishops, and Bishops, &c. These Bishops
 " nominated and elected according to the Statute
 " of 20. *Hen.* 8. and Consecrated by the Ordinal
 " confirmed by Parliament, 5 and 6. *Edw.* 6, &c.
 " the *Dollrine* of the Church, reduced into its
 " ancient purity, according to the *Articles* agreed
 " upon in Convocation, in the Year 1562. and
 " ratified in due form of Law, by the Queens au-
 " thority. The *Liturgie*, confirmed in Parlia-
 " ment *And a little after.* "[By this last
 " Act (of 8. *Eliz.*) the Church (of *England*) is
 " strongly settled on Her *natural Pillars* of
 " *Dollrine*, *Government*, and *Worship*, not
 " otherwise to have been shaken but by the blinde
 " zeal of such furious *Sampsons* as were resolved to
 " pull it on their own heads, rather then to suffer
 " it to stand in so much glory.] *Ecccl. Restan.* p. 2.
 f. 122. and 173.

For, what was this *glorious Church* of his, but a *natural*
Fabrick, rear'd upon (as he calls them) *natural Pillars*, and
 the foundations of those *Pillars*, *natural foundations*, the
Queen, and *Parliament*, and that *Parliament* without any
 Bishops, or so much as one *Clergy-man* in it? Whence this
glorious Church, as it hath been once already overturned
 to the ground, and (as he acknowledges, and complains)
 the very *foundations* of it *digged up*, by those *furious*
Sampsons; so it may be at any time again, when a *Pres-*
byterian or *Fanatick Parliament* or *Army*, shall get (which
 God avert) the *Sword* again into their hands.

FINIS.



Appendix.

For the better understanding of the former Discourse, I have here set down some Extracts out of the ancient forms of Ordaining Bishops, in the Greek and Latine Church: and out of the Acts of Parliament quoted in the third Part, and the Act of 8. Eliz. at large.

Forms of the Greek Church.

UNus ex primis Episcopis; una cum S. Clem.
duobus aliis stans prope Altare, re. Const.
liquis Episcopis & Presbyteris tacite pre-
cationem facientibus; & Diaconis aperta
Evangelia super caput ejus qui Ordinatur
tenentibus, in hunc modum precetur.
Here Domine Deus omnipotens, &c. Da
huic famulo tuo quem ad Episcopatum
elegisti, ut pascat sanctum gregem tuum,
atque ut Pontificatu tibi sanctè fungatur,
&c. Da ei participationem Sancti Spiri-
tus,

tus, ut habeat potestatem remittendi peccata secundum mandatum tuum, item dandis clericis, ut tu iussisti, ac solvendi omne vinculum secundum potestatem quam Apostolis dedisti, & offerendi tibi sacrificium mundum & incruentum quod per Christum instituisti, &c.

S. Dionys. Areop. de Eccl. Hier. c. 5. Pontifex qui ad Consecrationem in Pontificem adducitur, utroque genu flexo ante Altare, supra caput habet Evangelia, manumque Pontificis: atque hoc modo ab eo Pontifice qui eum Consecrat, sanctissimis precationibus Consecratur.

MS. antiquus in Bibl. Card. Barberini. Aperiens Episcopus Evangelium, imponit illud super caput & collum ipsius Ordinandi, astantibus aliis Episcopis, & tangentibus ipsum S. Evangelium. Archiepiscopus autem imponens illi manum, sic precatur. *Here, Domine Deus noster, confirma hunc electum, ut per manum mei peccatoris, & assistentium Ministrorum & Coepiscoporum, Sauliſq; Spiritus adventu, virtute, & gratia, ſubeat Evangelicum jugum, & dignitatem Episcopalem, &c.*

Eucholog. Constanti-nopolit. Ecclesia. Evangelium accipit Præsul, & imponit illud super dorsum illius qui Ordinatur, & omnes Episcopi qui illic sunt, imponunt manus super illum ex utroque latere, donec omnes preces absolutæ fuerint,

rint. Repetit Præful, Domine Deus, elige
in Ecclesia tua N. hunc N. Presbyterum,
in opus magnum Episcopatus. Precemur
omnes pro eo, ut veniat donum tuum Do-
mine, & cum virtute perficiat, & consum-
met in ministerio Episcopali. Indue eum
Domine virtute ex alto, ut liget & solvat
in caelis & in terra, & creet in virtute
dñi tui Presbyterus & Diaconus, &c.

Forms of the Latine Church.

Episcopus cum Ordinatur, duo Episco-
pi manus eorum super caput ejus ponant,
& teneant Evangeliorum codicem supra
cervicem ejus. Et unum super eum fun-
dentem benedictionem, reliqui omnes
Episcopi qui adsunt, manibus suis supra
caput ejus teneant.

MS. Pa-
ris. scri-
ptus ante
annum,
167.

*Oratio, & precis de Episcopis
Ordinandis.*

"Oremus, dilectissimi nobis, ut his
"viris ad utilitatem Ecclesie providen-
"dis, benignitas omnipotentis Dei gra-
"tiae suae tribuat largitatem. Per, &c.

"Exaudi, Domine, supplicum preces,
"ut quod nostrum gerendum est mini-
"sterium, tua potius virtute firmetur.
"Per, &c.

" Propitiare Domine supplicationibus
 " nostris, & inclinatus super hos famulos
 " tuos cornu gratiæ Sacerdotalis, bene-
 " dictionis tuæ in eos effunde virtutem.
 " Per, &c.

Consecratio.

" Deus honorum omnium, &c. qui
 " Moysen famulum tuum, inter cætera
 " cœlestis documenta culturæ, de habitu
 " quoque indumenti Sacerdotalis institu-
 " ens, electum Aaron mystico amictu
 " vestire inter sacra iussisti, ut intelligen-
 " tiæ sensum de exemplis priorum cape-
 " ret secutura posteritas, &c. Et ideo, o
 famulis tuis, quæsumus, quos ad Summi
 Sacerdotii Sacerdotium elegisti, hanc
 quæsumus Domine gratiam largiaris, ut
 quicquid illa velamina, in fulgore auri,
 in nitore gemmarum, & multimodi ope-
 ris varietate signabant, hoc in horum mo-
 ribus clarescat. Comple, Domine, in
 Sacerdotibus tuis mysterii tui summam,
 & ornamentis totius glorificationis in-
 structum, cœlestis unguenti rore sanctifi-
 ca. Hoc Domine copiosè in eorum
 caput influat, hoc in oris subjecta decur-
 rat, hoc in totius corporis extrema de-
 scendat, &c. Da eis Domine claves re-
 gni cœlorum : quodcumque ligaverint
 super

super terram, sit ligatum & in cælis;
Tribuas eis Domine Cathedram Episco-
palem ad regendam Ecclesiam tuam, &
plebem universam. Sis eis authoritas, sis
eis potestas, &c.

Benedictiones super eos qui sacris Ordinationibus benedicendi sunt. Sacramen-
tarium

Oratio ad Ordinandos Episcopos. *Ore-
mus dilectissimi, &c. ut supra. Benedictio
Episcoporum. Adesto supplicationibus no-
stris, omnipotens Deus, & quod humilitatis
nostra gerendum est ministerio, virtutis tua
impleatur effectum. Alia. Propitiare Do-
mine supplicationibus nostris, & inclinato
super hunc famulum tuum cornu gratie
Sacerdotalis, &c. Consecratio. Deus ho-
norum omnium, &c. ut supra celestis
unguenti flore sanctifica. (Hic mittatur
Chrisma super Caput ejus) Hoc Domine
copiose, &c. ut supra.* Gelasia-
num. MS.
post prio-
rem anti-
quissimas.

*Incipit Ordinatio Episcopi. Episco-
pum qui Ordinandus est duo Episcopi per
manus de Secretario, antequam Evange-
lium legatur, deducant ante Altare, & eo
inibi prostrato, ab Archiepiscopo in-
choetur Letania: quâ finita, & eo erecto,
ponatur Evangelium super scapulas ejus,
& has dicant Episcopi super eum oratio-
nes. Oremus dilectissimi, &c. ut supra.* MS. Ec-
clesia Ro-
tomanen-
sis, (scri-
ptus circa
ann 900.
in, et pro
Angliâ.

Alia. *Adesto Domine, &c. ut supra.* Alia. *Propitiare Domine, &c. ut supra.* Solus vero Archiepiscopus hanc dicat *Consecrationem*, ceteris assistantibus, & duobus Episcopis Evangelium super ipsum qui Ordinandus est tenentibus. *Deus horum omnium, &c. ut supra, rure sanctifica.* (Hic mittatur Chrisma) &c. Item alia super Episcopum. *Pater sancte, &c. ut per te, in summum ad quid assumitur Sacerdotium Consecretur, &c.....* Consecratio manuum Episcopi oleo sancto & Chrismate. Hic mittatur Oleum super caput ejus. [*Ungatur & Consecretur caput tuum in celesti benedictione, in Ordinem Pontificalem. In nomine Patris, &c.*]

MS. in
Monast. S.
Germani,
in Suburb.
Paris.
scrip. ante
ann. 950.

Finita Letania, duo Episcopi tenentes librum Evangelii super scapulas Archiepiscopos benedicat eum. *Adesto Domine, &c. ut sup.* Alia. *Propitiare Domino, &c. ut sup.* Consecratio, ab Archiepiscopo solo dicenda. *Deus horum omnium, &c.*

MS. in Bi-
bliotheca
Canonice
Regular.
S. Viterbi
in Suburb.
Paris. cir-
ca ann.
1100.

Duo Episcopi ponant & teneant textum Evangelii apertum super caput ejus: & D. Metropolitanus infundens Benedictionem super eum, dicat, lenta voce, *Oramus dilectissimi, &c.* Sequitur Benedictio. *Propitiare Domine, &c.* Prefatio. *Deus horum omnium, &c. ut supra.*

Actis

Acts of Parliament.

25. H. 8. 10.

If the person be elected to the office of an Archbishop, the King shall by his Letters Patents signify the said election to one Archbishop and two other Bishops, or else to four Bishops to be assigned by the King, requiring and commanding him or them, to confirm the said election, and to invest and Consecrate the said person so elected, to the office and dignity that he is elected unto, and to give and use to him such Wall, and all other Benedictions, and Ceremonies, and things requisite for the same. And every person being hereafter elected, invested, and Consecrated to the dignity or office of any Archbishop or Bishop, according to the tenor of this Act, shall and may be authorized and installed, &c. and shall and may do and execute in every thing and things touching the same, as any Archbishop or Bishop

of this Realme (without offending the prerogative Royal of the Crown, and the Lawes and Customs of this Realme) might at any time heretofore do.

5. & 6. Edw. 6. 1.

An Act for the Uniformity of Common Prayer, and Administration of the Sacraments.

WHEREAS there hath bene a godly order set forth by authority of Parliament, for Common Prayer, and Administration of the Sacraments, &c. the King hath by the authority of the Lords and Commons in this Parliament assembled, caused the aforesaid order of Common Service, entituled, The Book of Common Prayer, to be explained and made perfect; and by the aforesaid authority, hath annexed and joyned it so explained and perfected, to this present Statute, adding also a form and manner of making and Consecrating of Archbishops, Bishops, Priests, and Deacons, to be of like force,

force, authority, and value, as the same like foresaid Book of Common Prayer was before, &c. If any shall wittingly hear and be present at any other manner or form of Common Prayer, of administration of Sacraments, of making Ministers in the Churches, or of any other Rites contained in the Book annexed to this Act, then is mentioned and set forth in the said Book, &c.

1. Eliz. 2.

That there shall be Uniformity of Prayer, and Administration of Sacraments.

WHEREAS at the death of our late Sovereign Lord King Edw. 6. there remained one uniform order of Common Service and Prayer, and of the administration of Sacraments, Rites, and Ceremonies in the Church of England, which was set forth in one Book, intituled, The Book of Common Prayer and Administration of Sacraments, and other Rites and Ceremonies in the Church of

of England, authorized by Act of Parliament, holden in the 5. and 6. years of our said late Sovereigne, intituled, An Act for the Uniformity of Common Prayer, and Administration of the Sacraments, the which was repealed by Act of Parliament in the first year of the Reign of our late Sovereign Queen Mary, to the great decay of the due honour of God, and discomfort to the Professors of the truth of Christs Religion: Be it therefore enacted, &c. that the said Statute of Repeal, and every thing therein contained, onely concerning the said Book, and the Service, Administration of the Sacraments, Rites and Ceremonies contained or appointed in or by the said Book, shall be void and of none effect. And that the said Book, with the order of Service, and of the Administration of Sacraments, Rites and Ceremonies, with the alterations and additions therein added and appointed by the Statute, shall stand and be in full force, &c.

8. Eliz. 1.

All Acts made by any person since 1. Eliz. for the Consecrating, Investing &c. of any Archbishop or Bishop, shall be good.

As much as divers questions by overmuch boldness of speech and talk amongst many of the common sort of people, hath lately grown upon the making and Consecrating of Archbishops and Bishops within this Realm, whether the same were and be duly and orderly done according to the Law or not, which is much tending to the slander of all the State of the Clergy, being one of the greatest Estates of this Realm: Therefore for the avoiding of such slanderous speech, and to the end that every man that is willing to know the truth, may plainly understand that the same evil speech and talk is not grounded upon any just matter or cause, It is thought convenient hereby, partly to touch such authorities as do allow and approve the making

making and Consecrating of the same Archbishops and Bishops, to be duly and orderly done, according to the Lawes of this Realme, and thereupon further to provide for the more surety thereof, as hereafter shall be expressed.

First, it is very well known to all degrees of this Realm, that the late King, of most famous memory, H. Henry 8. as well by all the Clergy then of this Realm, in their several Conventions, as also by all the Lords Spiritual and Temporal, and Commons, in divers of his Parliaments, was justly and rightfully recognized and knowledged to have the supreme Power, Jurisdiction, Order, Rule and Authority over all the State Ecclesiastical of the same; and the same power, jurisdiction and authority did use accordingly. And that also the said late King, in the fife and twentieth year of his Reigne, did by authority of Parliament, amongst other things, set forth a certain Order of the manner and form how Archbishops and Bishops should be elected and made, as by

by the same more plainly appears. And that also the late King of worthy memory King Edward the Sixth, did lawfully succeed his Father in the Imperial Crown of this Realm, and did justly possess and enjoy all the same power, jurisdiction, and authority before mentioned, as a thing to him descended with the said Imperial Crown, and so used the same during his life. And that also the said King Edw. 6. in his time, by authority of Parliament caused a godly Book, intituled, The Book of Common Prayer, and Administration of Sacraments, and other Rites and Ceremonies in the Church of England, to be made and set forth, not onely for one Uniform Order of Service, Common Prayer, and Administration of the Sacraments to be used within this Realm, and other his Dominions, but also did adde and put to the same Book a very good and godly Order of the manner and form how Archbishops, Bishops, Priests, Deacons, and Ministers should from time to time be Consecrated, made, and Ordered, within this

this Realm, and other his Dominions, as by the same Book more plainly may and will appear.

And although in the time of the said late Queen Mary, as well the said Act and Statute, made in the five and twentieth year of the Reign of the said late King Hen. 8. as also the several Acts and Statutes made in the 2, 3, 4, 5, and 6. years of the Reign of the said late King Edward, for the authorizing and allowing the said Book of Common Prayer, and other the premises, amongst others other Acts and Statutes touching the said supreme authority, were repealed; yet notwithstanding at the Parliament holden at Westminster in the first year of the Reigns of our Sovereign Lady the Queens Majesty that now is, by one other Act and Statute there made, all such Jurisdictions, Priviledges, Superiorities, and Preeminences Spiritual and Ecclesiastical, as by any Spiritual or Ecclesiastical power or authority hath heretofore been, or may lawfully be used over the Ecclesiastical State of this Realme, and the

the Order, Reformation, and Corporation of the same, is fully and absolutely by the authority of the same Parliament, united and annexed to the Imperial Crown of this Realm; and by the same Act and Statute, there is also given to the Queens Highness, her heirs and Successors Kings and Queens of this Realm, full power and authority, by Letters Patents under the Great Seal of England, from time to time, to assigne, name, and authorize such person or persons as she or they shall think meet and convenient, to exercise, use, occupy, and execute, under her Highness, all manner of Jurisdictions, Priviledges, Preeminences, and Authorities, in any wise touching or concerning any Spiritual or Ecclesiastical Power or Jurisdiction within this Realm or any other her Dominions or Countries.

And also by the same Act and Statute, the said Act made in the fifth and twentieth year of the said late King Hen. 8. for the order and form of the electing and making of the
said

said Archbishops and Bishops, together with divers other Statutes touching the Jurisdiction over the State Ecclesiastical, is revived, and made in full force and effect, as by the same Act and Statute plainly appeareth.

And that also by another Act and Statute made in the said Parliament in the first year of the Reign of our said Sovereign Queen, intituled, An Act for the Uniformity of Common Prayer and Service in the Church; the said Book of Common Prayer, and the Administration of Sacraments, and other the said Orders, Rites, and Ceremonies before mentioned, and all things therein contained, with certain Additions therein newly added and appointed by the said Statute, is fully established and authorized, to be used in all places within this Realm, and all other the Queens Majesties Dominions and Countries, as by the same Act among other things more plainly appeareth.

Whereupon our said Sovereign Lady the Queens most excellent Majesty

full, being most justly and lawfully
 invested, and having in her Majesty's
 order and disposition, all the
 full Jurisdiction, Power, and Au-
 thorities, over the State Ecclesi-
 astical and Temporal, as well in ca-
 ses Ecclesiastical as Temporal, with-
 in this Realm and other her Ma-
 jesties Dominions and Countreys,
 both by her Majesty's Authority, as
 divers times before the beginning
 of her Majesty's Reign, caused di-
 vers grave and well learned men to
 be duly Elected, Made, and Conse-
 crated Archbishops and Bishops of
 divers Archbishopricks and Bi-
 shopricks within this Realm, and
 other her Majesty's Dominions and
 Countreys, according to such Or-
 der and Form, and with such Cere-
 monies in and about their Conse-
 cration as were allowed and set forth
 by the said Acts, Statutes, and Or-
 ders annexed to the said Book of
 Common Prayer before mentioned.
 And further for the avoiding of all
 ambiguities and questions that
 might be objected against the lawful
 Confirmations, Indulging, and
 Con-

Concerning of the said Archbishop
 Chappard Bishop, her Highness
 her Letters Patents under the great
 Seal of England, directed to any
 Archbishop, Bishop, or others for
 the Confirming, Inveſting, and
 Conſecrating of any perſon elected
 to the Office or Dignity of any
 Archbishop or Bishop, hath not com-
 manded ſuch words and ſentences as
 were accustomed to be uſed by the
 ſaid late King Henry and W. Edw.
 her Majesties Father and Mother,
 in their like Letters Patents made
 for ſuch cauſes: but alſo hath uſed
 and put in her Majesties ſaid Let-
 ters Patents divers other general
 words and ſentences whereby her
 Highness by her ſupream Power
 and Authority, hath diſpenſed with
 all cauſes or doubts of any imperfec-
 tion or disability that can or may in
 any wiſe be objected againſt the
 ſame, as by her Majesties ſaid Let-
 ters Patents remaining of Record,
 more plainly will appear. So that
 to all theſe that will well conſider of
 the effect and true intent of the ſaid
 Laws and Statutes, and of the
 Supream

Supplies and warrants and other of
the Queens Highness, and tabled
up by her Highness said Letters
patents, hath used and put in use in
any about the making and Consec-
rating of the said Archbishops and
Bishops, it is and may be very con-
venient, that no cause of scruple, am-
biguity, or doubt, can or may fairly
be objected against the said Electi-
ons, Confirmations, or Consecrati-
ons, or any other material thing
most to be used or had in or about the
same, but that every thing requisite
and material for that purpose hath
been made and done, as perfectly,
and with as great a care and dili-
gence, as rather more, as ever the
like was done before her Highness
time, as the Records of her High-
ness said Father and Mothers
time, and also of her own time, will
more plainly testify and declare.

And heretofore for the more plain De-
claration of all the premises, & to the
intent that the same may be better
known to every of the Queens Ma-
jesties Subjects, whereby such full
specy as heretofore hath been used

against the high Seats of Bishops, may hereafter cease: Be it now declared, and enacted, that the said Act and Statute made in the first Year of the Reign of our said Sovereign Lady the Queens Majesty, whereby the said Book of Common-Prayer, and the Administration of Sacraments, with other Rites and Ceremonies, is authorized and allowed to be used, shall stand and remain good and perfect to all respects and purposes.

And that such Order and Form for the Consecrating of Archbishops and Bishops, and for the making of Priests, Deacons, and Ministers, as was set forth in the time of the said late King Edw. 6. and added to the said Book of Common-Prayer, and authorized by Parliament in the 5. and 6. Year of the said late King, shall stand and be in full force and effect, and shall from henceforth be used and observed, in all places within this Realm, and other the Queens Majesties Dominions and Countries.

And that all Acts and things heretofore

refuse her, make, or done, by any
person or persons, in or about any
Consecration, Confirmation, or In-
stalling of any person or persons ele-
cted to the Office or Dignity of any
Archbishop or Bishop within this
Realm, or within any other her Ma-
jesties Dominions or Countreys,
by vertue of the Queens Majesties
Letters Patents or Commission,
Athence the beginning of her
Reign, be, and shall be, by authority
of this present Parliament declared,
judged, and deemed, as and from eve-
ry of the several times of the he-
ing thereof, good and perfect in all
respects and purposes, any matter or
thing that comes or may be objected to
the contrary thereof in any wise not-
withstanding.

And that all persons that have
been or shall be made, Deacons, or
Consecrated, Archbishops, Bishops,
Priests, Ministers of Gods holy
Word and Sacraments, or Deacons,
after the form and order prescribed
in the said Order and form bave
Archbishops, Bishops, Priests,
Deacons, and Ministers, should be
Con-

Consecrated, Pasts, and Orders
be in very deed, and also by autho-
rity heretofore declared, and enacted to
be, and shall be Archbishops, Bi-
shops, Priests, Deacons, and Min-
isters, and rightly Pasts, Orders,
and Consecrated, any Statute, Law,
Canon, or other thing to the con-
trary notwithstanding.

Provided alwayes, and notwithstanding
lets be it enacted by the authority
aforesaid, that no person or persons
shall at any time hereafter be impea-
ched, or molested, in body, lands,
libes, or goods, by occasion, or means
of any Certificate, by any Archbi-
shop, or Bishop, heretofore made, or
before the last day of this Session of
Parliament, to be made, by virtue
of any Act made in the last Session
of this present Parliament, touch-
ing or concerning the refusal of the
Oath, declared and set forth by Act
of Parliament in the first Year of
the Reign of our said Sovereign
Lady M. Elizabeth, any thing in this
Act, or any other Act or Statute
heretofore made, to the contrary not-
withstanding.

And

And that all tenders of the said
Oath, made by any Archbishop, or
Bishop aforesaid, or before the last
day of this present Session, to be
made, by authority of any Act esta-
blished in the first Session of this
present Parliament, and all refu-
sals of the same Oath so tendered, or
before the last day of this Session,
to be tendered, by any Archbishop or
Bishop, by authority of any Act esta-
blished in the first Session of this
present Parliament, shall be void
and of none effect or validity in the
Law.

FINIS.

Since the Printing of this, they have acknowledged the justness of our Exception to their Forms, by amending them in their New Book, authorized by the late Act for Uniformity: the Form of Ordaining a Bishop, thus, [*Receive the Holy Ghost, for the Office and Work of a Bishop, &c. In the name of the Father, &c.*] the Form of Ordaining a Priest, thus, [*Receive the Holy Ghost, for the Office of a Priest, &c.*] But this comes too late for the past Ordinations, and consequently also for the future; because being no Bishops now, they cannot Ordain validly by ~~the same~~ Form whatsoever.

Page 79. line 8. &c. dele these words, *making it unreasonable to take Orders from the Sea of Rome.*

Pag. ead. lin. 15. after the word, *Spirital*, insert these words, *all the Bishops then present in Parliament, dissenting to these two Acts of 1. Eliz. and in the ensuing Parliaments.*

Pag. 80. lin. 5. for 20. read 25.

Pag. 87. lin. 22. for, *authorized*, read *intromized.*

Pag. 90. lin. 26. for, *the*, read, *this.*

